

CONSTITUTION OF THE GERMAN SPEAKING PROTESTANT CONGREGATION IN SINGAPORE

NAME AND PLACE OF BUSINESS

1. The name of the Congregation shall be the "German Speaking Protestant Congregation in Singapore" hereinafter referred to as the "Congregation". Its place of business shall be at 3 Orchard Road, Singapore 0923, or such other address as may subsequently be decided upon by the Council and approved by the Registrar of Societies. The Congregation shall carry out its activities only in places and premises which have the prior written approval from the relevant authorities.

STATEMENT OF FAITH

2. The foundation of the Congregation is the Gospel of Jesus Christ as revealed in the Old and the New Testament and as interpreted in the Lutheran and reformed doctrinal documents of the Reformation.

OBJECT

3. The objective of the Congregation is to witness Christ who was crucified and resurrected as Head of the Church and Lord of the World according to the Gospel through worship, pastoral care, education of the youth and deeds of charity. The Congregation shall uphold the ecumenical fellowship of Christians world-wide.

4. Worship services, pastoral care and all other services of the Congregation shall be provided to all German speaking Christians regardless of their denomination or church affiliation.

MEMBERSHIP

5. (a) Membership in the Congregation shall be open to all German-speaking persons of any age residing for the time being in Singapore or Malaysia, who accept the commitment and Protestant doctrine of the Congregation

(i) if they are baptised Christians

(ii) if they themselves decide to seek baptism and to confess their Christian faith; or

(iii) in the case of children under 14 years of age, if at least one parent is already a baptised member of the Congregation and wishes the child to be baptised.

(b) Those who are below 18 years of age shall not be accepted as members without the written consent of their parent or guardian.

(c) A person wishing to join the Congregation should submit his particulars to the secretary on a prescribed form.

(d) All applicants for membership shall give a written declaration to the Council. By such declaration, the member shall accept the Constitution of the Congregation and commit himself to contribute to the object of the Congregation according to his capacity and ability. A copy of the Constitution shall be furnished to every approved member.

6. All members of the Congregation who are 16 years of age and above shall be voting members and shall be entitled to attend and speak at General Meetings and only members who are 18 years of age and above shall have the right to hold office in the Congregation.

GENERAL MEETINGS

7. An Annual General Meeting shall be held before 30th April of each year.

8. At other times, an Extraordinary General Meeting must be called by the

Chairperson on the request in writing of not less than one-quarter of the total voting membership or 10 voting members, whichever is the lesser and may be called at any time by order of the Council.

9. The Council shall convene all General Meetings by giving 2 weeks' prior written notice with the agenda to voting members.

10. The duties of the General Meeting shall be:

(a)- to acknowledge the report of the Council, to move and grant exoneration to the members of the Council;

(b)- to appoint a Protestant Pastor of the Congregation (the "Pastor") from among the candidates proposed by the Council, when a new pastor is to be appointed;

(c)- (where applicable) to elect the members of the Council and Honorary Auditors;

(d)- to decide on proposals put forward by the Council;

(e)- to submit proposals concerning the conduct, expansion and strengthening of congregational life for deliberation and decision by the Council;

11. (a) The quorum for a General Meeting shall be one-quarter of the total voting membership or 10 voting members, whichever is the lesser, present at the meeting.

(b) In the event of there being no quorum at the commencement of a General Meeting the meeting shall be adjourned to the same day a fortnight later and should the number then present be insufficient to form a quorum those present shall be considered a quorum but they shall have no power to amend any of the existing rules.

(c) For decisions of the General Meeting (except to amend the Constitution) only a simple majority of the voting members who are present at the meeting shall be required.

(d) The minutes of the General Meeting shall be published in the newsletter of the Congregation.

MANAGEMENT AND COUNCIL

12. (a) The Congregation shall be managed by a Council which shall consist of at least five and not more than nine members of the Congregation.

(b) The Pastor shall be ex-officio a member of the Council.

(c) Names for election to the Council will be proposed and seconded at the alternate Annual General Meeting and election will follow on a simple majority vote of the members. The term of office of the Council is two years. Newly elected members of the Council shall be inducted during a worship service.

(d) Unless with the approval in writing of the Registrar or an Assistant Registrar of Societies all Council members should be either Singapore Citizens or Singapore Permanent Residents

(e) The Council shall elect from among its members the following office bearers of the Congregation:

- (i) the Chairperson
- (ii) the Deputy Chairperson
- (iii) the Secretary
- (iv) the Treasurer.
- (v) one to five Ordinary Council Members

(f) All office-bearers, except the Treasurer, may be re-elected to the same post for a consecutive term of office.

(g) If members of the Council resign from their office before the expiry of their term of office, the Council may appoint eligible members of the Congregation to replace them until the next General Meeting.

(h) A Council meeting shall be convened monthly after giving seven days' notice to council members. The Chairperson may call a Council meeting at any time by giving five days' notice. The quorum for Council meetings shall be at least half of the Council members, of whom one must be either the Chairperson or the Deputy Chairperson.

(i) Decisions of the Council shall be taken by the simple majority of members attending the meeting. In the case of a stalemate, the Chairperson shall have a casting vote. Minutes of each meeting shall be recorded and signed by the Secretary and the Chairperson, and shall be kept in the minutes-book of the Congregation.

13. The duties of the Council shall be:

- (a)- to take charge of all matters relating to the object of the Congregation in association with the Pastor;
- (b)- to discuss and decide on all worldly matters relating to the Congregation and to manage the finances of the Congregation.
- (c)- to convene the General Meeting;
- (d)- to represent the Congregation in external relations.
- (e)- to consult regularly with the representatives of the German-Speaking Catholic Community of Singapore.
- (f)- to organise and supervise the daily activities of the society.

14. The Council may not act contrary to the expressed wishes of the General Meeting without prior reference to it and always remains subordinate to the General Meetings.

DUTIES OF OFFICE-BEARERS

15. (a) The Chairperson shall act as chairman at all General and Council Meetings. He/She shall also represent the Congregation in its dealings with outside persons.

(b) The Deputy Chairperson shall assist the Chairperson. In the absence of the Chairperson from Singapore or at any meeting of the Council, the Deputy Chairperson shall take over as the Chairperson for such period of absence or for such meeting.

(c) The Secretary shall keep all records, except financial of the Congregation and shall be responsible for their correctness. He/She will keep minutes of all General and Council Meetings. He/She shall maintain an up-to-date Register of Members at all times.

(d) The Treasurer shall keep all funds and collect and disburse all moneys on behalf of the Congregation and shall keep an account of all monetary transactions and shall be responsible for their correctness. He/She shall deposit all moneys in his/her care in a bank to be named by the Council. Cheques, etc. for withdrawals from the bank will be signed by the Treasurer and either the Chairperson, the Deputy Chairperson or the Secretary.

(e) Ordinary Council members shall assist in the general administration of the Congregation and perform duties assigned by the Council from time to time.

THE PASTOR

16. (a) The Pastor shall be appointed by the General Meeting. His activities shall be defined by an agreement to be signed by the Council, the Church-Of-

office of the Evangelical Church in Germany (Kirchenamt der Evangelischen Kirche in Deutschland) and the appointed Pastor himself.

(b) The Pastor shall fulfil the following duties:

- (i) to lead worship services
- (ii) to conduct congregational activities and gatherings
- (iii) to attend to the pastoral care and
- (iv) religious instruction.

(c) The Pastor shall carry out his ministry in sole commitment to the Word of God and in obedience towards the Lord of the Church, in co-operation with the Council.

(d) Should any differences of opinion arise between the Pastor and the Congregation, the Church Office of the Evangelical Church in Germany (Kirchenamt der Evangelischen Kirche in Deutschland) shall be asked to mediate.

AUDIT AND FINANCIAL YEAR

17. Two voting members, not being members of the Council, shall be elected as Honorary Auditors at each Annual General Meeting and will hold office for a term of one year only and shall not be re-elected for a consecutive term.

They:

- (a) will be required to audit each year's accounts and present a report upon them to the Annual General Meeting.
- (b) may be required by the Chairperson to audit the Congregation's accounts for any period within their tenure of office at any date and make a report to the Council.

18. The financial year shall be from 1st January to 31st December.

TRUSTEES

19. (a) If the Congregation at any time acquires any immovable property, such property shall be vested in trustees subject to a declaration of trust.

(b) The trustees of the Congregation shall

- (i) Not be more than four and not less than two in number
- (ii) Be elected by a General Meeting of members.
- (iii) Not effect any sale or mortgage of property without the prior approval of the General Meeting.

(c) The office of the trustee shall be vacated:

- (i) If the trustee dies or becomes a lunatic or of unsound mind.
- (ii) If he is absent from the Republic of Singapore for a period of more than one year.
- (iii) If he is guilty of misconduct of such a kind as to render it undesirable that he continues as a trustee.
- (iv) If he submits notice of resignation from his trusteeship.

(d) Notice of any proposal to remove a trustee from his trusteeship or to appoint a new trustee to fill a vacancy must be given by posting it on the notice board in the Congregation's premises at least two weeks before the General Meeting at which the proposal is to be discussed. The result of such a General Meeting shall be notified to the Registrar of Societies.

(e) The addresses of immovable properties, names of trustees and any subsequent change must be notified to the Registrar of Societies.

INTERPRETATION

20. In the event of any question or matter pertaining to day-to-day administra-

tion which is not expressly provided for in the rules, the Council shall have power to use their own discretion. The decision of the Council shall be final unless it is reversed at a General Meeting.

AMENDMENTS TO RULES

21. No alteration or addition / deletion to these rules shall be made except at a General Meeting and with the consent of two-third of the voting members present at the General Meeting and they shall not come into force without the prior sanction of the Registrar of Societies.

PROHIBITIONS

22. (a) Gambling of any kind howsoever, whether for stakes or not, is forbidden on the premises of the Congregation. The introduction of materials for gambling or drug taking into the Congregation's premises is prohibited.

(b) The Congregation's funds shall not be used to pay fines of members who have been convicted in Court.

(c) The Congregation shall not:

(i) engage in any trade union activity as defined in any written law relating to trade unions for the time being in force in Singapore.

(ii) attempt to restrict or interfere with trade or make directly or indirectly any recommendation to, any arrangement with its members which has the purpose or is likely to have the effect of fixing or controlling the price or any discount, allowance or rebate relating to any goods or services which adversely affects consumer interests.

(iii) hold any lottery, whether confined to its members or not, in the name of the Congregation or its office-bearers, Council or members, unless with the prior approval of the relevant authorities.

(iv) indulge in any political activity or allow its funds and/or premises to be used for political purposes.

(v) raise funds from the public for whatever purpose without the prior approval in writing of the Director, Criminal Investigation Department and other relevant authorities.

DISPUTES

23. In the event of any dispute arising amongst members, they shall attempt to resolve the matter at an Extraordinary General Meeting in accordance with the rules in the Constitution. Should the members fail to resolve the matter, they may bring the matter to a court of law for settlement.

DISSOLUTION

24. (a) The Congregation shall not be dissolved, except with the written approval of the Church-Office of the Evangelical Church in Germany (Kirchenamt der Evangelischen Kirche in Deutschland) and the consent of not less than 3/5 of the total voting membership of the Congregation for the time being resident in Singapore expressed either in person or by proxy, at a General Meeting convened for the purpose.

(b) In the event of the Congregation being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Congregation shall be fully discharged, and the remaining funds will be donated to the Orchard Road Presbyterian Church or to an approved charity or charities in Singapore having the same objects as the Congregation, as the Council may decide.

(c) A Certificate of Dissolution shall be given within 7 days of the dissolution to the Registrar of Societies.