

MILITARY CHRISTIAN FELLOWSHIP OF AUSTRALIA **CONSTITUTION**

TITLE

1. The title of the body shall be 'The Military Christian Fellowship of Australia', abbreviated and hereinafter referred to as MCF.

MISSION

2. The mission of MCF is to promote Christian faith in the Australian Defence Force (ADF).

BASIS OF FELLOWSHIP

3. The basis of fellowship within MCF is the acknowledgement that Jesus Christ, the Son of God, is Lord and Saviour. Other factors motivating MCF are the desire to reach non-Christians in the ADF, the need for Christian fellowship within the Defence workplace, and the support of Christian Chaplaincy.

4. Although Christianity knows no barriers to fellowship, MCF is primarily an organisation of Defence personnel, so rank and position should not be ignored. Within MCF, members should address each other as dictated by good manners or according to the degree of personal friendship. Members should be careful not to expect, or appear to expect, preferential attention from fellow MCF members.

OBJECTIVES

5. The specific objectives of MCF are:

- a. To be an instrument through which others in the ADF are led to Christ.
- b. To encourage, support, and develop Christians in the ADF, especially when deployed.
- c. To support actively the ministry of ADF Christian Chaplains.
- d. To corporately manage MCF legally, effectively, and efficiently.

6. In order to achieve these objectives MCF acknowledges God's leading towards the following non-core objectives: support Christianity in the wider ADO; support international MCFs; support other military ministries active in the ADF; and advocate on moral and ethical issues that impact upon Christian faith in the ADF. Additionally, a specified financial object of MCF is the management of a Gift Fund for the purposes of Deductible Gift Recipient status, as required by the Australian Taxation Office (ATO).

MEMBERSHIP

7. MCF is interdenominational in character. A personal commitment to Jesus Christ who is Lord and Saviour of all is the essential qualification for membership of MCF.

8. Ordinary Membership is open to the following people:

- a. members and ex-members of the ADF, and their spouses;
- b. accredited representatives of philanthropic organisations who are closely associated with the ADF;
- c. civilians who are currently working alongside ADF personnel, or who did so in the past for a period of at least one year; and
- d. members and ex-members of the armed forces of foreign countries who are currently residing in Australia.

9. Applicants may become Ordinary Members by agreeing to the following statement of belief:

I believe in one God, the Father, the Almighty, maker of heaven and earth, of all that is, seen and unseen. I believe in one Lord Jesus Christ, the only Son of God, eternally begotten of the Father, God from God, Light from Light, True God from True God, begotten, not made, of one Being with the Father. Through him all things were made. For us all and for our salvation he came down from heaven: by the power of the Holy Spirit he was incarnate of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate; he suffered death and was buried. On the third day he rose again in accordance with the Scriptures; he ascended into heaven and is seated at the right hand of the Father. He will come again to judge the living and the dead, and his kingdom will have no end. I believe in the Holy Spirit, the lord, the giver of life, who proceeds from the Father and the Son. With the Father and the Son he is worshipped and glorified. He has spoken through the Prophets. I believe in one holy catholic and apostolic Church. I acknowledge one baptism for the forgiveness of sins. I look for the resurrection of the dead, and the life of the world to come. I believe that all Scripture is inspired by God and is useful to teach us what is true and to make us realise what is wrong in our lives.

10. Associate Membership is open to all other persons who express an interest in MCF and agree to the statement of belief above. Associate Members will be included on the same mailing list and receive the same MCF literature as Ordinary Members. However, Associate Members have no voting rights nor can they be elected to the National Council.

11. Wherever this constitution uses the term 'membership' without any other qualification, the relevant provision applies equally to Ordinary Membership and to Associate Membership. Similarly, wherever the term 'member' is used without other qualification, the provision applies equally to an Ordinary Member and to an Associate Member.

12. Membership of an individual may be withheld or withdrawn by the National Council if it deems such membership to be contrary to MCF's objectives or that the membership is otherwise inappropriate. The person whose membership is withheld or withdrawn will be advised by the Chair of the reasons, and will be given an opportunity to present the case for granting or reinstating membership.

ORGANISATION

13. The basis of MCF organisation is the local group formed at, or by members of, any Defence establishment.
14. Within the bounds of this constitution, general oversight, guidance and administration of MCF shall be vested in the National Council, hereinafter referred to as the Council.
15. Without the prior approval of a General Meeting the Council shall not:
- a. impose on Members any future financial obligation;
 - b. commit funds in excess of the net assets immediately available to MCF;
 - c. undertake any action or commit expenditure specifically prohibited by a General Meeting;
 - d. purchase shares, debentures, securities or other interest in any company; or
 - e. enter into a business partnership with another person or organisation.

REPRESENTATIVES, OFFICE BEARERS AND STAFF

16. **Patron.** A distinguished serving, or retired, Christian member of the ADF may be invited by the Council to become Patron of MCF for a term of its choosing.

17. **National Council.** At the Annual General Meeting (AGM) of MCF members, the following Office Bearers shall be elected to form the Council:

- a. Chair.
- b. Vice Chair.
- c. Secretary.
- d. Treasurer.
- e. Chaplain's Representative.
- f. Up to three Members' Representatives.

18. If insufficient volunteers are available the offices of Vice-Chair and Secretary can be combined.

19. The Council may:

- a. Appoint any other members to advise the Council.
- b. Fill casual vacancies at any time, excluding the Chair.
- c. Appoint such sub-committees as may be deemed necessary, having the power to co-opt members of MCF, and delegate to them such powers and duties as it sees fit.
- d. Appoint members as staff.
- e. Appoint one or more permanent salaried workers. Any salaried workers will be responsible to, and will work to rules approved by, the Council.

20. **National Executive.** The operational management of MCF is vested in an Executive consisting of the Chair, Vice Chair, Secretary, and Treasurer. The Executive is to authorise all undertakings of MCF including:

- a. Visits to MCF members and ADF bases.
- b. The content of MCF literature, websites, or advertising.
- c. Appointments of paid or volunteer staff.

21. The affairs of MCF in various locations may be conducted by Regional Coordinators, Area Representatives or local committees as approved by the Council.

22. All MCF Office Bearers, Regional Coordinators, Area Representatives, secretarial staff and salaried workers are required to agree to and sign the statements of belief prescribed for Ordinary Membership.

23. **Election of Office Bearers.** Positions on the Council are open only to Ordinary members.

- a. Each candidate must be nominated by an Ordinary Member and seconded by another Ordinary Member, and the candidate is to indicate acceptance of the nomination.
- b. The Secretary will call for nominations in writing to all Ordinary Members, and will do so at least eight weeks before the AGM. Nominations received thirty five days before the AGM will be included with the proposed agenda. Further nominations will be called for at the AGM.
- c. The AGM will elect each Office Bearer from the nomination(s) received.
- d. A casual vacancy occurs when an Office Bearer dies, resigns from the Council or is posted out of Australia.
- e. Any Office Bearer appointed by the Council to fill a casual vacancy shall hold office until the next AGM.
- f. In the event of a vacancy in the office of Chair, the Vice-Chair becomes Chair and the Council is to appoint another Vice Chair.

MEETINGS

24. In view of the scattered nature of the membership, it is not envisaged that MCF will be able to meet as a whole. Instead, small groups will meet as arranged locally.

25. The Council shall meet twice yearly. Whilst Council has powers to order all aspects of the management of MCF, the main role of Council is to provide broad guidance and direction for MCF. The operational management of MCF is vested in an Executive consisting of the Chair, Vice Chair, Secretary, and Treasurer. This Executive shall meet at least quarterly and preferably monthly. Proposed Council and Executive meetings must be advised to all Council members. Non-Executive Officer Bearers have a standing invitation to attend all

Executive meetings. Paid or volunteer staff can be invited to attend Council or Executive meetings but are not to vote.

26. **General Meetings.** An AGM shall be held on a date and at a location determined by the Council. At least thirty days written notice of the AGM and proposed agenda shall be given to all Ordinary Members. The Chair shall call an Extraordinary General Meeting to consider any relevant proposal submitted to him in writing and signed by any ten Ordinary Members. At least thirty days written notice of meeting and agenda, including any specific motions shall be given to all Ordinary Members.

27. The Chair shall preside over any meeting at which he/she is present.

Quorums

28. At any AGM or Extraordinary General Meeting a quorum is fifteen Ordinary Members. At meetings of the Council five Office Bearers shall constitute a quorum. At Executive meetings three of the four Executive Office Bearers shall constitute a quorum. Attendance at any meeting can be in person, by telephone conference call, or by video conference call.

Voting

29. A motion of the Council is considered carried if two thirds of the Council in attendance agree. A motion of the Executive is considered carried if at least two thirds of Executive Office Bearers agree. At any meeting the Chair (or in his/her absence the Vice Chair) shall have a casting vote.

30. Only Ordinary Members shall be entitled to vote at General Meetings. Only Office Bearers shall be entitled to vote at Council or Executive meetings as appropriate.

31. Those entitled to vote are referred to as Entitled Voters. At any MCF meeting, the votes counted will be those of Entitled Voters who are present, proxies exercised on behalf of Entitled Voters who are not present, and postal ballots (received by the Secretary before the meeting) by other Entitled Voters who are not present.

FINANCES

32. MCF is a not-for-profit organisation. MCF is a Registered Charity with the Australian Charities and Not-For-Profits Commission (ACNC) and is endorsed by the ATO as a deductible gift recipient (DGR), this allows donors to make tax-deductible donations.

33. MCF's income and property, however derived, shall be applied solely towards the Objectives of MCF as defined in this constitution. No portion of MCF's income or property shall be paid or transferred to members by way of dividend, bonus or otherwise as profit. Nothing herein shall prevent payment in good faith of reasonable and proper remuneration to any employee of MCF in return for services rendered to MCF.

34. The financial arrangements for MCF shall be as follows:

- a. MCF shall maintain a bank account for the administration of its financial affairs.
- b. The signatories of the account shall be at least two of; the Chair, Vice Chair, Secretary, Treasurer, or such other members who are appointed by the Council and who have signed the statements of belief prescribed for Ordinary Membership (at paragraph 9).
- c. The operating procedure of the account shall require any two signatories to sign however all expenditure requires authorisation by at least one of the Executive.
- d. MCF is to operate its finances in accordance with the applicable ATO and ACNC rules.
- e. Gifts may be presented to MCF contributors as a gesture of gratitude and appreciation for their services but should not provide any individual with a sizeable or significant personal benefit.
- f. All gifts, contributions, payments, disbursements and investment returns are to be separately recorded through MCF's accounting system¹.

35. No member shall be personally liable for anything bona fide done or omitted to be done by MCF, the Council, an Office Bearer, a Member, or an MCF salaried worker.

¹ Required for DGR endorsement. <https://www.ato.gov.au/Non-profit/Getting-started/In-detail/Types-of-DGRs/Rules-and-tests-for-DGR-endorsement/?page=3>

REPORTS

36. A Chair's report and a statement of the accounts of the year shall be presented annually to the members of MCF at the AGM. An auditor(s) or reviewer(s) may be appointed, and may be removed, by the Executive.

37. The Secretary shall make available to any member, on request, Council, Executive and, AGM minutes and information on financial accounts, and any other information as determined by the Council.

WINDING UP OR DISSOLUTION

38. If upon winding up or dissolution of MCF, or revocation of MCF's DGR endorsement by the ATO any surplus assets of the gift fund remaining after the payment of liabilities attributable to it shall be transferred to another DGR with a similar charitable purpose¹.

ALTERATIONS TO CONSTITUTION

39. All proposals for alteration to this constitution must be submitted in writing to the Secretary. No alterations in this constitution shall be made unless passed by a two-thirds majority of the Council and confirmed by a two-thirds majority of Ordinary Members at the next General Meeting, after at least thirty days notice of the proposed change has been given.

¹ This paragraph is required or DGR endorsement