

RULES FOR THE ELECTION OF CONGREGATIONAL COUNCIL MEMBERS

of the

EVANGELICAL-LUTHERAN CHURCH IN SOUTHERN AFRICA (N-T)

{Abbreviated name: ELCSA (N-T)}

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RULES FOR THE ELECTION OF CONGREGATIONAL COUNCIL MEMBERS

Section 1 *General*

In these Rules, unless the context indicates otherwise, singular shall include plural and vice versa and masculine shall include feminine and vice versa.

Section 2 *Basic Provisions*

- (1) The number of Congregational Council members to be elected and their term of office is determined by Section 22 and 23 of the Congregational Code.
- (2) In the election, due consideration is to be given to the diversity within the Congregation.

Section 3 *Eligibility*

- (1) All Congregation members who have reached the age of 18 years on the day of the election and who are registered members of the congregation have the right to vote.
- (2) Election of Congregational Council members shall be arranged so that not more than half of the total number of councillors stand for election. In the case where a Congregational Councillor is co-opted in accordance with Section 28 of the Congregational Code, the number of Congregational Councillors to be elected shall be increased accordingly.
- (3) Members who have the right to vote, who are at least 18 years old and who earnestly strive to do justice to the requirements of Section 25 of the Congregational Code are eligible for election as Congregational Councillor.
- (4) According to Section 21(3) of the Congregational Code, spouses, parents, siblings and children may not serve on Congregational Council simultaneously. Circuit Council may, upon application by Congregational Council, make exceptions to this rule.
- (5) According to Section 21(4) of the Congregational Code, employees of the Congregation are not eligible as Congregational Councillor.
- (6) A Pastor, to whom a Pastor's post has been assigned, is not eligible as a Congregational Councillor.
- (7) The following do not have a right to vote:
 - (a) members whose rights have been temporarily or permanently denied;
 - (b) members who are not admitted to partake in Holy Communion;
 - (c) members whose right to vote has been rescinded;
 - (d) members who have lost their right to vote in terms of Section 7 of the Congregational Code;
 - (e) members who have been declared incapable of managing their own affairs or who have been placed under provisional guardianship or under trusteeship.

Section 4 *Revocation of Rights*

- (1) Congregational Council may revoke a member's right to vote in terms of Section 7 of the Congregational Code if the member substantially violates his duties. The Congregational Council shall give the member a hearing prior to the revocation.
- (2) The decision, stating the reasons, shall be communicated to the member in writing.

Section 5 *Appeal against Revocation*

- (1) The member involved may submit a written appeal against the decision, setting out his reasons, to the Dean within 7 days after receipt of the decision. Circuit Council shall make the final decision.
- (2) The appeal does not suspend the effect of the decision.

Section 6 *Rescission of Revocation*

- (1) If the conditions giving rise to the revocation have fallen away, Congregational Council shall either on application or officially rescind the revocation. This decision shall be communicated to the member.
- (2) If Congregational Council rejects the application to rescind the revocation, the member involved may submit a written appeal against the decision, setting out his reasons, to the Dean within 7 days after receipt of the decision. Circuit Council shall make the final decision.
- (3) If an application to rescind the revocation has been rejected, it may only be re-submitted after one year.

Section 7 *Scheduling of Elections*

Elections are scheduled by Congregational Council and customary notice thereof is given accordingly. They are conducted within the framework of a General Meeting and are included in the agenda in terms of Section 15(e) of the Congregational Code.

Section 8 *Nominations*

- (1) Every member who is entitled to vote has the right to nominate candidates.
- (2) Nominations shall be submitted to Congregational Council in writing within the stipulated time frame. Nominations require a seconder as well as the written consent of the nominee.
- (3) Nominees shall be clearly identified, so as to exclude any confusion.
- (4) Congregational Council announces the names of the candidates in the customary manner.

- (5) Additional persons may be nominated by the General Meeting.
- (6) The chairman shall determine whether the nomination has been seconded and whether the nominee is prepared to accept the nomination.

Section 9 *Election Procedure*

- (1) The election is open for Congregation members.
- (2) At the General Meeting Congregational Council members are elected by secret ballot with a simple majority of members present and voting. The General Meeting may adopt a supplementary provision to the Congregational Code, in order to apply the principle of absolute majority.
- (3) Proxy votes are not permissible.
- (4) If the number of candidates nominated is equal to or less than the number of councillors to be elected, an election shall nevertheless be conducted.
- (5) The quorum shall be established prior to the election.
- (6) During the election each voter shall enter no more names of candidates onto the ballot paper than the number of councillors to be elected.

Section 10 *Announcement of Election Results*

- (1) Counting of votes shall follow immediately after the vote and the chairman shall announce the result of the election.
- (2) The election is won by those candidates who have received the required number of votes.
- (3) The names of elected members shall be recorded in the minutes of the General Meeting.
- (4) Ballot papers shall be destroyed immediately after the General Meeting.

Section 11 *Objections against the Election*

Objections against the election may only be raised during the General Meeting. The final decision in such case rests with that General Meeting.

Section 12 *Commencement Date*

These Rules shall come into effect on the 15th October, 2007.

Forwarded to all Congregations on 24 June 2008/hh