

CONSTITUTION

OF THE

EVANGELICAL

LUTHERAN CHURCH

IN

ZIMBABWE

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THE PREAMBLE TO THE CONSTITUTION

Whereas we, The Christians of The Evangelical Lutheran Church in Zimbabwe (ELCZ); Guided by the values of our Lord Jesus Christ, of love, tolerance, forgiveness and reconciliation; and Desirous of the promotion of human well-being and eternal salvation through the preaching of the gospel; and Believing in the teachings of Martin Luther of sola fide (faith alone), sola gracia (grace alone), solus Christus (Christ alone) and sola scriptura (Scripture alone); Desirous of upholding these core theological principles; and Appreciating the importance of Christian unity and diversity; Desiring to maintain the organic unity of the ELCZ despite the division of the church into congregations, parishes, deaneries and dioceses; Now therefore resolve that the ELCZ be governed by the following Constitution:

1 THE NAME OF THE CHURCH

There shall be a Christian church in Zimbabwe called The Evangelical Lutheran Church (ELCZ).

2 THE CHURCH'S HEAD OFFICE

- 2.1 The Church's Head Office is currently located at 7 Lawley Road, Suburbs, Bulawayo.
- 2.2 The Head Office Location can be changed with the approval of the Church Council as long as it remains within the same municipality. If it is desired to change the municipality within which the head office is to be located, then such change may only be made by the Church Assembly.

3 THE FAITH AND DOCTRINE OF THE CHURCH

The foundation upon which the Evangelical Lutheran Church in Zimbabwe stands is (1) the Word of God, namely the Canonical Books of the Old and New Testament, (2) the Creed of the Apostles, the Nicene and Athanasian Symbols and the pure Lutheran Doctrine in accordance with catechism of Martin Luther and the unaltered Augustana Confession.

4 THE GENERAL AIM OF THE CHURCH

- 4.1 To build herself upon the foundation of this Faith and Doctrine unto a holy temple in the Lord through teaching and preaching the Word of God, through healing and through the proper administration of the Holy Sacraments.
- 4.2 To co-operate in mutual understanding with other churches for the extension of the Kingdom of God in order that the Name of Christ may be glorified on earth.
- 4.3 To strive, through guidance and help of the Holy Spirit, to fend for herself as a self-supporting and self-propagating Church.
- 4.4 To take care of the sick and suffering and exercise the ministry of the hands of Jesus (Diaconate).
- 4.5 To overcome ignorance and superstition through sound education.

5 MEMBERSHIP OF THE CHURCH

5.1 Members of the Church are;

- 5.1.1 Adults and children who are received into the Church through holy baptism.
- 5.1.2 All who are received from other churches in the proper way (as provided for in by-laws and in accordance with Church practices).
- 5.1.3 Membership of the catechumens shall be regulated by the Church's By-laws.

5.2 The Responsibility of the Church Members

- 5.2.1 To be, through word and deed, the witnesses of Jesus Christ, to give good example to her people and not to cause anybody to stumble. To uphold and safeguard the integrity of the Christian faith and to defend the purity of biblical doctrine.
- 5.2.2 To uphold and propagate the pure Lutheran doctrine as enshrined in Article 3 of this Constitution and to exhort others to do the same.
- 5.2.3 To submit, regularly all contributions, offerings and tithing and assist the Church in her work.
- 5.2.4 To promote the work of every congregation for the instruction and education of all Christians, the relief of the needy and the bringing of those who have gone astray.
- 5.2.5 To submit, if found guilty of offence in life and doctrine or neglect of duties, to the discipline of the Church (Matthew 18: 15-18)

5.3 The Privileges of the Church Members

- 5.3.1 Every member is entitled to spiritual care and spiritual instruction which is the duty of the church to render.
- 5.3.2 Confirmed members in good standing shall have the privilege of access to the Holy Communion regularly.
- 5.3.3 Every member of the Church, male or female who has reached the age of 18 years and who is a Communicant, has a right according to the governing rules and regulations, to participate in deliberations on congregation and parish affairs and to use his or her vote when decisions are taken.

5.3.4 Eligible to office of trust in the Church is any member of good standing who has reached the age of 21 and has been a full member of the Lutheran Church for 5 years.

5.4 Members' Loss of Privileges

5.4.1 A member, who is found guilty of error in doctrine, manifest sin, disorderly life or wilful negligence in responsibilities listed in 5.2 above as a church member, may be disciplined by the Church. A member under Church discipline will not have access to the Holy Communion nor have the right to vote or to receive or hold any office of trust in the Church.

5.4.2 If such a member persists in his sinful way and does not show any sign of repentance he/she may, with the consent of the Bishop, be excluded altogether and shall forfeit membership.

5.4.3 Any person who has for any cause or reason whatsoever ceased to be a member of the Church shall forfeit any rights with regard to the Church as well as any claim for a refund, in whole or in part, of any contributions, subscriptions or other dues paid by such a person prior to cessation. Such a member may be readmitted if he or she repents.

6 THE HOLY MINISTRY OF THE CHURCH

6.1 The office of the Holy Ministry, which is the office of the means of grace, is instituted by the Lord to preach and teach the Word of God, to heal, to administer the Holy Sacraments and to shepherd the flock. This office shall only be undertaken and performed by one who has received a genuine call and has been duly accepted by the authorities of the Church.

6.2 Before a person can be accepted in the Sacred Ministry, he/she shall be recommended by the leadership of his or her constituent organ and shall be approved by the congregation, parish, the Ministerial Board and the Church Council respectively for his or her fitness and suitability for the office.

6.3 If accepted for the Sacred Ministry, he/she shall be trained at an approved institution and be ordained by the Bishop according to the practice followed in the Church.

6.4 When a pastor has been entrusted with the care of a parish he/she shall be inducted by the Bishop in the prescribed way.

7 WORKERS IN THE CHURCH

The Diocesan Bishops

Deans

Pastors

Deacons

Lay Persons

8 CHURCH ORGANISATION

8.1 The Church is divided into Dioceses, Deaneries, Parishes and Congregations.

The Diocesan Assembly shall be the authority that declares a particular area of operation as a congregation, parish or deanery. Dioceses can only be established on the authority of the Church Assembly.

8.2 The Church is governed by the following organs:

The Congregational Council

The Congregational Assembly

The Parish Council

The Parish Assembly

The Deanery Council

The Deanery Assembly

The Diocesan Council

The Diocesan Assembly

The Church Council

The Church Assembly

8.3 Each of the above organs may form committees for any function as required.

8.4 Each Diocese shall have the following Boards:-

a. Medical Board

b. Education Board

c. Disciplinary Board

- d. Finance Board
- e. Diaconia, Evangelism and Stewardship Board
- f. Development Board

8.5 The Church shall have the following Boards:-

- a. Finance Board
- b. Lutheran Development Services Board
- c. Disciplinary Board
- d. Ministerial Board
- e. DESB

8.6 The governing boards listed in clause 8.5 above may appoint committees, either as standing or ad hoc committees, to assist them to carry out their functions as they may, in their discretion, deem fit.

8.7 Church organs are Sunday school, Youth, LLSF, Women's organisation and Men's organisation.

9 THE CONGREGATION

- 9.1 A congregation consists of a recognized group of church members in one locality.
- 9.2 Whenever possible a congregation shall be led by a deacon or pastor who has been duly called and appointed by the Church authorities. The Pastor or Deacon shall care for the orderly administration of the congregation. In performing his/her duty he/she shall be responsible to the Pastor in Charge.
- 9.3 In every congregation the Pastor shall be assisted and advised by a Congregational Council duly elected in accordance with Article 11.

10 THE CONGREGATIONAL ASSEMBLY

- 10.1 All voting members of the Congregation constitute the Congregational Assembly.
- 10.2 The Congregational Assembly shall be called by the Congregational Assembly Chairperson in consultation with the Congregational Pastor, as the case may be, provided that where there is no Congregational Assembly Chairperson, the Congregational Assembly shall be called by the Congregational Pastor, as the case may be. Where the Congregational Assembly is called by the Pastor

in terms of proviso of clause 11.2, the Pastor, as the case may be, shall, as the first business of the Congregational Assembly preside over the election of the Congregational Assembly Chairperson and Office Bearers.

- 10.3 The Congregational Assembly shall meet at least twice a year.
- 10.4 The quorum for a meeting of the Congregational Assembly shall be at least 51% of the members.
- 10.5 Notice for the convening of a Congregational Assembly shall be two consecutive Sundays preceding the day of the meeting.
- 10.6 Decisions of the Congregational Assembly shall be made by vote or consensus.
- 10.7 All proceedings shall be minuted and securely kept.

11 FUNCTIONS OF THE CONGREGATIONAL ASSEMBLY

The functions of the Congregational Assembly shall be:-

- 11.1 To oversee the work of the Lord within the Congregation.
- 11.2 To elect the Congregational Assembly Chairperson and the deputy, Secretary and the Deputy and Treasurer of the Congregation, Chairperson of Congregational Development Committee, Chairperson of Diaconal Evangelism and Stewardship Committee as well as other elders of the Congregation all of whom shall hold office for a period of four years. Elections may also be held whenever vacancies occur. The person elected as Congregational Assembly Chairperson shall be the representative of the congregation at the Parish Council. Such persons shall not serve for more than two consecutive terms of four years each.

In every congregation of less than 30 voting members, four elders are to be elected men or women, who are eligible to hold office of trust as provided in article 5.3.4. when the number of members has risen to 30, five elders shall be elected, when 45, six elders for a period of four years and maybe re-elected. The elders are installed in the manner prescribed in the Liturgy.

- 11.3 To receive and adopt the report from the Pastor and that of the Congregational Treasurer.
- 11.4 To receive such other reports as the Congregational Council may wish to present to the Congregational Assembly.

- 11.5 To settle such matters as may be referred to it by the Congregational Council or the Parish Council.
- 11.6 To refer or recommend any matter it deems necessary to the Parish Council.
- 11.7 To consider such issues as may have been referred to it by members.

12 THE CONGREGATIONAL COUNCIL

The Congregational Council shall consist of:-

- 12.1 The Pastor who shall be the Chairperson.
- 12.2 The Deacon
- 12.3 The Congregational Assembly Chairperson, Treasurer, Secretary and other elders elected in terms of clause 11.2.
- 12.4 The Chairpersons of all the organs and committees shall also sit in the Congregational Council to ensure effective representation in the council.
- 12.5 The Pastor in Charge of the Parish who shall be an ex-officio member with no voting rights.
- 12.6 Sunday School Teachers' Representative.

13 FUNCTIONS OF THE CONGREGATIONAL COUNCIL

The Congregational Council shall generally be responsible for all administrative issues that affect the congregation. Without limiting the generality of the foregoing, it shall be responsible for:-

- 13.1 Assisting and advising the Pastor or Deacon to carry out his functions as spiritual head of the Congregation.
- 13.2 Investigating matters of Church Discipline whenever such matters arise and making appropriate recommendations to the Pastor.
- 13.3 Organising the collection of funds for local needs and assisting in the collection of Church fees and ordinary offerings as prescribed.
- 13.4 Making decisions of a financial nature with regards to church assets under the custody of the congregation provided that such decisions shall not include the disposal or any encumbrance of any immovable property.

13.5 The Congregational Council may refer such issues as it deems fit to the Parish Council.

14 THE PARISH

The Parish shall comprise of congregations within a defined area under the supervision of a Pastor in Charge. The number of congregations in a Parish shall be determined by the Diocesan Council.

15 THE PARISH ASSEMBLY

15.1 All voting members within a Parish constitute the Parish Assembly.

15.2 The Parish Assembly shall be called by the Parish Assembly Chairperson in consultation with the Pastor in Charge, provided that where there is no Parish Assembly Chairperson, the Parish Assembly shall be called by the Pastor in Charge. Where the Parish Assembly is called by the Pastor in Charge, the Pastor in Charge shall, as the first business of the meeting, preside over the election of the office bearers.

15.3 The Parish Assembly shall meet at least twice a year.

15.4 The quorum of the meetings of the Parish Assembly shall be representation of at least 51% of the congregations in the Parish at the beginning of the meeting provided that where the Parish consists of only one congregation; the quorum shall be at least 51% of the members of that congregation.

15.5 Notice of the convening of the Parish Assembly shall be at least two consecutive Sundays in ALL congregations of the Parish before the date of holding the meeting provided that members may waive the notice period if they so agree.

15.6 Decisions of the Parish Assembly shall be through a vote with every eligible member having one vote in respect of each matter to be decided. In the event of an equality of votes, the Chairman shall have a second or casting vote.

15.7 There shall be a minute book for the purposes of recording all proceedings of the Parish Assembly.

15.8 There should be Holy Communion.

16 FUNCTIONS OF THE PARISH ASSEMBLY

Functions of the Parish Assembly shall be:

- 16.1 To receive the Annual Report of the Pastor in Charge. Such report shall cover all matters relating to pastoral work in the Parish.
- 16.2 To receive the report of the Parish Assembly Chairperson. Such report shall cover only matters relating to previous Parish Assemblies including such issues as follow ups on matters referred to the Deanery or Parish Assembly as the case may be.
- 16.3 To receive and approve the Financial Report of the Parish Treasurer.
- 16.4 To deal with matters referred to it by the Parish Council.
- 16.5 To discuss and express its opinion on matters pertaining to the development and needs of the Parish, including strengthening the self-sustenance of the Parish.
- 16.6 To elect 4 delegates to the Deanery and Diocesan Assemblies in line with policy in this regard taking cognisance of organ representation among the delegates.
- 16.7 To elect a Chairperson and deputy, Secretary and deputy, Treasurer, Sunday School Superintendent and deputy, and Parish Development Committee Chairperson and deputy, DESC Chairperson and deputy.
- 16.8 To receive any other reports as the Parish Council may deem fit.
- 16.9 To refer/recommend such issues as it deems fit to the Deanery Council as the case may be.

17 THE PARISH COUNCIL

- 17.1 There shall be a Parish Council for each Parish whose composition shall be as follows:
 - 17.1.1 The Pastor In Charge of the Parish, who shall be Chairperson of the Parish Council.
 - 17.1.2 Other Pastors of the Parish in active service and the deacons of the Parish shall be ex-officio members of the Parish Council.
 - 17.1.3 There shall also be members of the Parish Council who shall comprise the Chairperson of each congregation, and one of each of the youth,

LLSF, women and men's organizations within the Parish, one Chairperson of Sunday School Superintendent within the Parish, the Parish Treasurer, the Parish Secretary, the Chairperson of the Parish Development Committee, the Chairperson of the Parish DESC and the Chairperson of the Parish Assembly.

- 17.2 The Parish Council shall meet at least four times in the year. Extra-ordinary meetings may be called when required.
- 17.3 The quorum for the holding of a Parish Council Meeting shall be:
 - 17.3.1 The Pastor-In-Charge or any other pastor within the Parish and
 - 17.3.2 At least 51% of Parish Council members.
- 17.4 Decisions of the Parish Council shall be made on a vote. In case of equality of votes, the Chairperson shall have a casting vote.
- 17.5 Minutes of all meetings shall be prepared and kept at the Parish Office. Such minutes must be adopted at the next Parish Council meeting and shall be signed by the Chairperson as evidence of the fact that they were so adopted.
- 17.6 If a member is absent from three consecutive meetings without a reasonable excuse or leave of the Chairman, such member shall be deemed to have resigned. The Parish Council may co-opt a new member to replace such member up to the date of the next Parish Assembly. The Parish Assembly shall then elect a new member or approve the appointment of the co-opted member.

18 FUNCTIONS OF THE PARISH COUNCIL

- 18.1 The Parish Council shall faithfully assist the Pastor in Charge and all his co-workers in all the work within the Parish to spread the Gospel, to guide the children and the young people in their spiritual development, to take care of those who are sick or in trouble and to provide for the spiritual welfare of the congregations.
- 18.2 The Parish Council shall serve as a medium of the Deanery Council for carrying out its own resolutions in the Parish.
- 18.3 It shall, together with the Pastor-In-Charge, administer the Parish Funds and property within the Parish, and shall regularly receive reports from the Treasurer on the financial situation of the Parish. In doing so it shall take cognizance of the Annual Budget proposals.

- 18.4 It shall prepare motions for submission to the Deanery Council and the Deanery Assembly.
- 18.5 It may refer/recommend matters it deems fit to the Parish Assembly or Deanery Council as the case may be.

19 DEANERY ASSEMBLY

- 19.1 There shall be a Deanery Assembly which shall consist of:
 - 19.1.1 The Dean
 - 19.1.2 All Pastors in the Deanery
 - 19.1.3 Deacons of the Deanery
 - 19.1.4 Four elected members from each Parish
 - 19.1.5 Members of the Diocesan Council in the Deanery
 - 19.1.6 Members of the Church Council in the Deanery
 - 19.1.7 Members of the Deanery Council
 - 19.1.8 Chairpersons of Parish Assemblies

provided that the number of Church workers shall not exceed the number of elected members.
- 19.2 The Dean shall call the first meeting of the Deanery Assembly and preside over the election of the Chairperson and thereafter handover the chair to the elected Chairperson who shall not serve for more than two consecutive terms of 4 years each.
- 19.3 The elected office bearers shall not serve more than two consecutive terms of 4 years each.
- 19.4 Subsequent meetings shall be called and presided over by the elected Chairperson in consultation with the Dean.
- 19.5 The quorum of the Deanery Assembly shall be the Chairperson and representatives of at least 51% of the Parishes in the Deanery, such quorum to be present at the commencement of the meeting.
- 19.6 The Deanery Assembly shall meet at least once a year.

20 FUNCTIONS OF THE DEANERY ASSEMBLY

- 20.1 It shall attend to matters concerning the Deanery, and any other matter referred to it by any of the organs or by the Diocesan Assembly.
- 20.2 It shall elect members of the Deanery Council who will include Deanery Chairperson and Deputy, Secretary and Deputy, Treasurer and DESC and Development Chairperson.
- 20.3 It shall receive reports from the Dean, the Deanery Assembly Chairperson and Deanery Treasurer. The Deanery Assembly Chairperson's report shall cover only matters relating to previous Deanery Assemblies, including such issues as follow ups on matters referred to the Deanery or Diocesan Council as the case may be.
- 20.4 It shall consider matters referred to it by the Deanery Council.
- 20.5 It shall elect 2 pastors out of 4 names referred to it in terms of article 22.1 to the Diocesan Assembly for the post of Dean.
- 20.6 It shall nominate candidates for posts in the Diocesan Council and Chairpersons of Boards.
- 20.7 It may refer/recommend such issues it deems fit to the Diocesan Council.

21 DEANERY COUNCIL

- 21.1 The Deanery Council shall consist of:
 - 21.1.1 The Dean and
 - 21.1.2 Two elected pastors one of whom shall act as Chairperson in the absence of the Dean
 - 21.1.3 1 elected deacon and
 - 21.1.4 One layman representing each cluster of parishes in Deanery and
 - 21.1.5 Chairperson of the Deanery Assembly and Deputy and
 - 21.1.6 Chairperson each from the Youth, LLSF, Women, Witnesses, Sunday School Teachers' Representative and Chairpersons of DESC and Development and such organs or committees as may be deemed necessary to ensure adequate and equitable representation of all interested parties.

21.2 The quorum of the Deanery Council shall be the Chairperson or his Deputy and at least 51% of the members, such quorum to be present at the commencement of the meeting.

22 FUNCTIONS OF THE DEANERY COUNCIL

- 22.1 It shall appoint a Deanery Treasurer and Deanery Secretary who shall carry out functions delegated to them by the Council and shall receive annual reports from the Dean, Treasurer and Chairperson of Deanery Assembly and any others as required by the Council.
- 22.2 It shall, together with the Dean, administer the Deanery funds and property within the Deanery and shall regularly receive reports from the Treasurer on the financial situation of the Deanery. In doing so it shall take cognisance of the Annual Budget proposals
- 22.3 It shall appoint and recommend dismissal of lay workers in the Deanery Office.
- 22.4 It shall deal generally with matters concerning the Deanery and make recommendations to the Diocesan Council.

23 THE DIOCESAN ASSEMBLY

- 23.1 The Diocesan Assembly shall comprise:
 - 23.1.1 The Diocesan Bishop
 - 23.1.2 The Deans in the Diocese
 - 23.1.3 The Diocesan Assembly Chairperson and his/her deputy
 - 23.1.4 Members of the Diocesan Council
 - 23.1.5 All members of the Church Council in the Diocese
 - 23.1.6 All Pastors in the Diocese
 - 23.1.7 Chairpersons of Boards in the Diocese
 - 23.1.8 One representative from each of LLSF, Youth, men and women from each Parish

23.1.9 Chairpersons of Deanery Assemblies.

23.2 The quorum of the Diocesan Assembly shall be:
At least 51% of the members provided that at least 51% of the Parishes in the Diocese are represented at the meeting.

23.3 The Diocesan Assembly shall meet at least once a year provided that extraordinary meetings may be called whenever necessary.

23.4 In the event of the demise or the permanent incapacitation of the Bishop or where the Bishop retires or resigns for any other reason, ceases to hold office, the Diocesan Council shall request one of the other Bishops to act. In the event that it is not possible to appoint one of the Bishops to act, the Diocesan council shall appoint one of the Deans to carry out administrative functions of the Bishop except those in 56.5 and 56.7. The Church Assembly shall meet after not less than 4 months and not more than 9 months to elect a new Bishop.

24 FUNCTIONS OF THE DIOCESAN ASSEMBLY

Functions of the Diocesan Assembly shall be:

24.1 To nurture the spiritual life and watch over the teachings of the church and provide spiritual guidance of all members of the Church. Particular emphasis in this regard shall be paid to the spiritual guidance of children and the youth.

24.2 To assist in taking care of the sick, the old, the widowed and the troubled.

24.3 The Diocesan Assembly may from time to time, and with a view to spreading the Gospel and to intensify God's work, consider and effect the establishment of new congregations, parishes and deaneries provided that in so doing, the assembly shall take into account the recommendations of the Deans and the Diocesan Bishop. The Diocesan Assembly may also establish new spheres of activities.

24.4 The Diocesan Assembly shall elect:

24.4.1 A Dean for each Deanery in the Diocese from the names submitted to it by the respective Deanery Assemblies.

24.4.2 The Chairperson of the Diocesan Assembly and his deputy. Where there is more than one Deanery in a Diocese, the Chairperson and his deputy shall not come from the same Deanery.

24.4.3 Members of the Diocesan Council taking equal representation by each Deanery in the Council.

24.5 To receive and adopt the Diocesan Bishop's report.

24.6 To receive and adopt the Diocesan Finance Board Chairperson's report which shall include a full set of financial statements.

24.7 To receive, discuss and decide upon matters referred to it by the Diocesan Council or the Church Council.

24.8 To receive the report of the Diocesan Assembly Chairperson. Such report shall cover matters relating to previous Diocesan Assemblies including such issues as follow-ups on matters previously referred to the Diocesan or Deanery Assembly as the case may be.

24.9 To refer/recommend such matters as it may deem fit to the Diocesan or Church Council as the case may be.

24.10 Holy Communion shall be celebrated at the meetings of the Diocesan Assembly. Each meeting shall be opened and closed by the Divine Service and every daily sitting shall commence by reading the Word of God followed by Prayer.

25 VOTING IN THE DIOCESAN ASSEMBLY

Decisions of the Diocesan Assembly shall be made through a vote. Unless otherwise specifically provided elsewhere in this constitution, a matter put to the vote and supported by at least 51% of the members of the Diocesan Assembly shall be deemed to have been carried.

26 THE DIOCESAN COUNCIL

26.1 The Diocesan Council shall comprise:

- 26.1.1 The Diocesan Bishop
- 26.1.2 The Deans in the Diocese
- 26.1.3 The Chairperson and Deputy of the Diocesan Assembly
- 26.1.4 Chairpersons of Boards
- 26.1.5 Chairpersons of Deanery Assemblies
- 26.1.6 Chairpersons of Church organs

- 26.1.7 Sunday School Superintendents
- 26.1.8 One Pastor from each Deanery in the Diocese
- 26.1.9 One Deacon from each Deanery in the Diocese and
- 26.1.10 Six lay persons, one of whom shall be knowledgeable in law and another in accounts. Of the remaining four, one shall be a youth, one LLSF, one man and one woman.
- 26.2 The Diocesan Bishop shall convene and chair the Diocesan Council at least 4 times a year provided that in the absence of the Bishop, one of the Deans shall chair the meetings.
- 26.3 A quorum of the Diocesan Council shall be 51% of the members present at the commencement of the meeting one of who shall be either the Diocesan Bishop or a Dean.
- 26.4 Members shall serve for a period of 4 years. A member shall be eligible for re-election at the end of the 4-year term provided that no member (other than the Diocesan Bishop and the Deans) shall serve for more than two consecutive four year terms.
- 26.5 Items for the Agenda shall reach the Chairman not less than two weeks before the date of the meeting.
- 26.6 If a member is absent from three consecutive meetings without a reasonable excuse or leave of the Chairman, such member shall be deemed to have resigned. The Diocesan Council may co-opt a new member to replace such member up to the date of the next Diocesan Assembly. The Diocesan Assembly shall then elect a new member or approve the appointment of the co-opted member as it deems fit.
- 26.7 Decisions of the Diocesan Council shall be by vote. If a decision is supported by at least 51% of the meeting, it shall be deemed to have been carried.

27 FUNCTIONS OF THE DIOCESAN COUNCIL

Functions of the Diocesan Council shall be:

- 27.1 To assist the Bishop to supervise the work of the Lord in the Diocese and institutions under its management so that the work may be done in the spirit of Jesus Christ.

- 27.2 To submit two names of candidates nominated for the position of Diocesan Bishop, but the Church Assembly shall make the final decision.
- 27.3 To decide on matters of discipline referred to it by the Disciplinary Board.
- 27.4 To review, where necessary, decisions of the Boards.
- 27.5 To offer work in the Diocese and institutions under its jurisdiction to any eligible person and to withdraw such offers as it deems fit.
- 27.6 To appoint its Secretary and deputy from its midst.
- 27.7 To consider and approve annual budgets of the Diocese.
- 27.8 To appoint, if deemed fit, external auditors on an annual basis to examine the accounts of the diocese. Such auditors may be re-appointed.
- 27.9 To prepare the agenda of the Diocesan Assembly.
- 27.10 To refer/recommend such issues as it deems fit to the Church Council or to the Church Assembly as the case may be.
- 27.11 To consider and recommend to the Diocesan Assembly the financial statements of the Diocese.
- 27.12 It shall, together with the Bishop, administer the Diocesan funds and property within the Diocese and shall regularly receive reports from the Treasurer on the financial situation of the Diocese. In doing so it shall take cognizance of the Annual Budget proposals.

28 POWER TO ACQUIRE PROPERTY

The Diocesan Council shall have the right, power and authority to buy, acquire, mortgage and dispose of any property under its jurisdiction provided that:

- 28.1 In the case of only immovable property, the power to mortgage or dispose of the property shall only be exercisable if the Church Council agrees.
- 28.2 The right, power and authority to dispose of any property, which the dioceses inherited from the Central Church, shall only be exercisable if the Church Council agrees.

29 THE CHURCH ASSEMBLY

- 29.1 The Church Assembly shall consist of:
 - 29.1.1 The Diocesan Bishops, one of whom shall be the Presiding Bishop and
 - 29.1.2 The Deans from all the Dioceses and
 - 29.1.3 Members of the Church Council and
 - 29.1.4 Members of all Diocesan Councils and
 - 29.1.5 All Pastors and Deacons in the Church and
 - 29.1.6 Four representatives of each Parish elected by their respective Parish Assemblies.
- 29.2 A quorum of the Church Assembly shall be 51% of the members and not less than 10% of the quorum shall be from each Diocese.
- 29.3 The Church Assembly shall meet at least once every two years.
- 29.4 Extra-ordinary Church Assemblies may be called whenever necessary.
- 29.5 Holy Communion shall be celebrated at the meetings of the Church Assembly. Each meeting shall be opened and closed by the Divine Service and every daily sitting shall commence by reading the Word of God followed by Prayer.

30 FUNCTIONS OF THE CHURCH ASSEMBLY

The Church Assembly shall have the following functions:

- 30.1 To assist the Bishops in attending to the spiritual well being , unity and oneness of the Church.
- 30.2 To receive and adopt the joint report of Bishops presented by the Presiding Bishop. It shall also receive the General Secretary's Report on the finances and administration of the Church.
- 30.3 To receive, discuss and resolve matters referred to it by the Church Council.
- 30.4 To ensure that the unity of the Church is preserved.
- 30.5 To elect Diocesan Bishops from the list referred to it in accordance with clause 55.3 of this Constitution.
- 30.6 To elect the Chairperson of the Assembly and Deputy.

- 30.7 The term of office of Assembly Chairperson and Deputy shall be 4 years, but he/ she may be re-elected.
- 30.8 To ensure that all Dioceses in the Church adhere to the teachings of the Church.
- 30.9 To elect Chairpersons of Central Church Boards

31 VOTING IN THE CHURCH ASSEMBLY SHALL BE BY SECRET BALLOT

32 THE CHURCH COUNCIL

- 32.1 The Church Council shall consist of:
 - 32.1.1 The Presiding Bishop who shall be the Chairperson
 - 32.1.2 All other Diocesan Bishops
 - 32.1.3 One Dean from each Diocese
 - 32.1.4 The Chairperson of the Church Assembly.
 - 32.1.5 The Chairperson of the Central Church Finance Board, the Chairpersons of the LDS Board and the Chairperson of the Disciplinary Board.
 - 32.1.6 Five other people from each Diocese who shall be elected by their respective Diocesan Assemblies. These people should include chairpersons of the men, women, LLSF and youth and Sunday School Superintendent.
 - 32.1.7 One Pastor from each Diocese
 - 32.1.8 Diocesan Chairpersons
- 32.2 The Church Council shall meet at least once every year.
- 32.3 If the Presiding Bishop is unable to attend a Church Council meeting, provided there is a quorum, then the Church Council shall elect one of the other Diocesan Bishops to chair the meeting.
- 32.4 The quorum of a Church Council meeting shall consist of 51% of the members present at the commencement of the meeting, including the Presiding Bishop or one other Diocesan Bishop. In addition, every diocese shall be represented by at least 3 members.

- 32.5 The members shall serve for a period of 4 years and may be re-elected provided that no member, other than the Diocesan Bishops shall serve for more than two consecutive terms.
- 32.6 The Church Council shall elect a Secretary from among its members to record its proceedings. It may also elect a Deputy Secretary.
- 32.7 If a member is absent from three consecutive meetings without any reasonable excuse or leave of the Church Council, the member shall be deemed to have resigned. The Church Council shall then have the right (but not the obligation) to co-opt another person to fill the position up to the end of the term of the Church Council.

33 COUNCIL DECISION SHOULD BE MADE BY CONSENSUS OR BY VOTE OF 51% OF THE CHURCH COUNCIL MEMBERS PRESENT AT THE MEETING.

34 FUNCTIONS OF THE CHURCH COUNCIL

The Church Council shall have the following functions:

- 34.1 To assist the Bishops to effectively supervise the work of the Lord in the Church and institutions under its management that it may be done in the spirit of Jesus Christ.
- 34.2 To consider candidates nominated for the posts of Diocesan Bishops and to submit these candidates to the Church Assembly.
- 34.3 To assist the Bishops in settling matters of strife and misunderstanding in the Church.
- 34.4 To promote unity and co-operation within the Church and among the Dioceses in the spirit of oneness, emphasizing at all times that there exists one Evangelical Lutheran Church in Zimbabwe.
- 34.5 To assist the Bishops and Ministerial Board to call and care for the training of Pastors and Deacons.
- 34.6 On the recommendations of the Ministerial Board, to appoint trained Pastors and Deacons to particular Dioceses. The actual allocation of Pastors and Deacons to Parishes shall be the responsibilities of the Diocesan Councils of the respective Dioceses.
- 34.7 On the recommendations of the Ministerial Board, to discharge Pastors and Deacons.

- 34.8 To employ workers of the Central Church Head Office.
- 34.9 To make decisions on the property and finances of the Church. In this regard, the Church Council shall have the right to buy, encumber, mortgage, sell, pledge or dispose as it sees fit, all property, movable or immovable, owned by the Church provided that any decision to sell or dispose of any immovable property shall have been supported by at least 75% of the members present.
- 34.10 To approve the budget of the Central Church Head Office.
- 34.11 To appoint external auditors each year to examine and audit the financial records of the Church.
- 34.12 To prepare the Agenda for the Church Assembly.
- 34.13 To appoint members of the Central Church Boards.
- 34.14 To legislate and lay down rules, regulations and by-laws for the Church and its activities and to decide upon any amendments of those rules, regulations or by-laws. All Dioceses shall comply with such rules, regulations or by-laws.

35 THE DIOCESAN BOARDS OF THE CHURCH

- 35.1 Composition: All professional Boards of the Diocese shall consist of not less than 5 members of the profession, one of whom shall be Chairperson and the rest be a Pastor and a layperson. In the case of the Medical Board, a doctor shall be the Chairperson. In the case of the Education Board, a senior Educationist shall be the Chairperson.
- 35.2 Each Board shall consist of 7 members including the Chairperson.
- 35.3 All Boards shall in executing their functions, make recommendations to the Diocesan Council.
- 35.4 All Board meetings shall precede Diocesan Council meetings. The minutes of these boards shall be circulated at Council meetings.

36 THE DISCIPLINARY BOARD

- 36.1 There shall be a Disciplinary Board for each Diocese which shall consist of:
 - 36.1.1 A Chairperson
 - 36.1.2 Not more than six (6) appointed members who shall include a Pastor and a representative of the women.

36.1.3 Not more than 2 members, excluding the chairperson, shall come from the same Deanery.

36.1.4 At least one of the members of this Board shall be a person who is knowledgeable in law.

36.2 Functions of the Disciplinary Board

36.2.1 The Disciplinary Board shall have jurisdiction over all members of the Diocese, and may also act as an appeal body for disciplinary matters referred to it.

36.2.2 It shall hear any matters referred to it by any of the organs of the Diocese pertaining to discipline.

36.2.3 It shall deliberate on or conduct hearings where necessary on any matter pertaining to discipline.

36.3 Proceedings of the Disciplinary Board

36.3.1 Whenever a member of the Board is being investigated for misconduct or has an interest in a matter under consideration, such member shall be excluded from the proceedings, and no proceedings shall be invalidated by reason of such exclusion.

36.3.2 When it is necessary to deal with a member of a profession, the Board may co-opt a member of that profession, to assist the Board and a member so co-opted shall not exercise any vote.

36.3.3 The Disciplinary Board may deliberate on a matter and either conclude it or call for the further evidence where necessary, and shall forward its findings or decisions or recommendations to the Diocesan Council.

37 THE MEDICAL BOARD

There shall be a Diocesan Medical Board for each Diocese whose composition shall be as per clause 35.

38 FUNCTIONS OF THE MEDICAL BOARD

- 38.1 It shall recommend to the Diocesan Council the Medical policy of the Diocese, the training of Medical Workers, plans for development and new forms of work and the discontinuation of any activity.
- 38.2 It shall recommend appointments, transfers and discharge of Medical staff according to rules defined in the by-laws. Any employee has, however, the right to appeal to the Disciplinary Board.
- 38.3 It has the power to decide upon financial matters within the framework of the approved budget.
- 38.4 It shall receive the budget proposals from the Doctors and Sisters in Charge of hospitals and clinics and forward these proposals together with its comments and recommendations to the Diocesan Council.
- 38.5 It may recommend to the Diocesan Council alterations of the fees charged to patients for Medical services.
- 38.6 Resolutions passed by the Diocesan Council concerning the Medical work shall be carried into effect by the Medical Board.
- 38.7 To recommend the establishment of new medical facilities or expand and develop existing institutions.

39 THE EDUCATION BOARD

There shall be a Diocesan Education Board whose composition shall be in accordance with clause 35.

40 FUNCTIONS OF THE EDUCATION BOARD

- 40.1 It shall recommend to the Diocesan Council the Education policy of the Church, the training of workers in the Education Field, plans for development and new forms of work and discontinuity of any activity.
- 40.2 It shall recommend appointments, transfers and discharge of Education staff according to rules defined in the By-laws. With regards to teaching staff, the Board shall be empowered to take such appropriate action in terms of the regulations governing members of the civil service and regulations or guidelines provided by the Ministry of Education. Non-teaching staff shall be subject to the Church's disciplinary procedures. Any employee has a right to appeal to the Disciplinary Board.

- 40.3 It shall have power to decide upon financial matters within the frame of the approved budget.
- 40.4 The Board shall receive the budget proposals from the Heads of Institutions and forward these proposals together with its comments and recommendations, to the Diocesan Council.
- 40.5 It may recommend to the Diocesan Council proposed fees to be charged in the various schools and other educational institutions.
- 40.6 Resolutions passed by the Diocesan Council concerning schools and other educational institutions regarding educational matters shall be carried into effect by the Education Board.

41 FINANCE BOARD

There shall be a Diocesan Finance Board whose composition shall be in accordance with clause 35.

42 FUNCTIONS OF THE FINANCE BOARD

The functions of the Finance Board shall be:

- 42.1 To advise the Diocesan Council on all matters relating to the Diocese Funds.
- 42.2 To review, on behalf of the Diocesan Council, all financial matters of the Diocesan Funds including reviewing the books kept by the Diocesan Bookkeeper, reviewing budgets and reviewing any other financial records of the Diocesan Funds.
- 42.3 To advise the Diocesan Council generally on all financial matters of the Diocese.
- 42.4 To liaise with the Diocese's auditors with regard to any audit issues.
- 42.5 To recommend to Diocesan Council any internal controls with regards to any aspect of the finances of the entire Diocese.
- 42.6 To carry out such other functions of a financial nature as may be delegated to it by the Diocesan Council.

43 DIACONIA, EVANGELISM AND STEWARDSHIP BOARD (DESB)

There shall be a Diaconia, Evangelism and Stewardship Board whose composition shall be in accordance with clause 35.

44 FUNCTIONS OF THE DIACONIA, EVANGELISM AND STEWARDSHIP BOARD

The functions of the Diaconia, Evangelism and Stewardship Board shall be:

To carry out all functions of Diaconia, Evangelism and Stewardship as directed by the Ministerial Board.

45 DEVELOPMENT BOARD

There shall be a Development Board whose composition shall be in accordance with clause 35.

46 FUNCTIONS OF THE DEVELOPMENT BOARD

The functions of the Development Board shall be:

- 42.7 To plan development activities of the Diocese including income generating projects.
- 46.2 To co-ordinate and liaise on the construction and maintenance of chapels and other buildings in the Diocese.

47 THE CENTRAL CHURCH BOARDS

There shall be the Lutheran Development Services Board, the Ministerial Board, Finance Board, Disciplinary Board and Diaconia Evangelism and Stewardship Board (DESB).

48 COMPOSITION OF THE LUTHERAN DEVELOPMENT SERVICES BOARD

The Lutheran Development Services Board shall comprise:

- 48.1 The Chairperson who shall serve one term of 4 years. Unless the Church Council unanimously decides otherwise, the chairmanship of the LDS Board shall rotate among Dioceses.
- 48.2 Six other members appointed by the Church Council provided that in making the appointments, the Church Council shall appoint two people from each Diocese.

49 FUNCTIONS OF THE LDS BOARD

- 49.1 The duty of the Board shall be to attend to all matters of the development of the community and institutions in Zimbabwe on behalf of ELCZ and in doing so it shall take into account the general terms of reference of the LDS.
- 49.2 The Board shall draw a programme for alleviating the effects of disasters, calamities and catastrophes.
- 49.3 It shall draw up and prioritize projects to be undertaken in the annual or five year plans.
- 49.4 Resolutions passed by the Church Council concerning LDS Board and LDS matters shall be carried into effect by the LDS Board.
- 49.5 In carrying out its functions, it shall have due regard to the provisions of the constitution of the LDS.

50 THE MINISTERIAL BOARD

There shall be a Ministerial Board of the Church whose composition shall be as follows:

- 50.1 The Presiding Bishop as the Chairperson
- 50.2 The other Diocesan Bishops
- 50.3 One Dean from each Diocese and one Pastor from each Deanery.
- 50.4 At least one lecturer from the United Theological College or its successor.

51 FUNCTIONS OF THE MINISTERIAL BOARD

The Ministerial Board shall have the following functions:

- 51.1 To ensure that article 2 of this Constitution is adhered to.
- 51.2 To be the custodian of the pure Lutheran doctrine, with jurisdiction to make binding recommendations on matters of doctrine in the Church.
- 51.3 To recommend to the Church Council all matters pertaining to the training and education of Pastors and Deacons.
- 51.4 To recommend to the Church Council the allocation of trained Pastors and Deacons to Dioceses.

- 51.5 To recommend to the Church Council matters relating to the care and welfare of Pastors.
- 51.6 To recommend to the Church Council the discharge of any Pastor or Deacon.
- 51.7 To effect resolutions of the Church Council with regards to matters that fall under the functions of the Ministerial Board.

52 THE CENTRAL CHURCH FINANCE BOARD

There shall be a Central Church Finance Board whose composition shall be as follows:

- 52.1 A Chairman elected by the Church Council who shall serve for not more than two consecutive terms of 4 years each. He shall have an Accounting qualification.
- 52.2 The Church Council shall elect two people from each Diocese, one of whom shall be the Finance Board Chairperson of the Diocese

53 FUNCTIONS OF THE CENTRAL CHURCH FINANCE BOARD

The functions of the Central Church Finance Board shall be:

- 53.1 To advise the Church Council on all matters relating to the Central Church Fund.
- 53.2 To review, on behalf of the Church Council, all financial matters of the Central Church Fund including reviewing the books kept by the General Secretary, reviewing budgets and reviewing any other financial records of the Central Church Fund.
- 53.3 To advise the Church Council generally on all financial matters of the Church.
- 53.4 To liaise with the Church's auditors with regard to any audit issues.
- 53.5 To recommend to Church Council any internal controls with regards to any aspect of the finances of the entire Church.
- 53.6 To carry out such other functions of financial nature as may be delegated to it by the Church Council.

54 THE DISCIPLINARY BOARD

There shall be a Disciplinary Board for the church which shall consist of:

- 54.1 A Chairperson
- 54.2 Not more than six (6) appointed members who shall include a Pastor and a representative of the women.
- 54.3 Not more than 2 members, excluding the chairperson, shall come from the same Diocese.
- 54.4 At least one of the members of this Board shall be a person who is knowledgeable in law.

55 FUNCTIONS OF THE DISCIPLINARY BOARD

- 55.1 The Disciplinary Board shall have jurisdiction over all members of the Church, and may also act as an appeal body for disciplinary matters referred to it.
- 55.2 It shall hear any matters referred to it by any of the organs of the Church pertaining to discipline.
- 55.3 It shall deliberate on or conduct hearings where necessary on any matter pertaining to discipline.

56 PROCEEDINGS OF THE DISCIPLINARY BOARD

- 56.1 Whenever a member of the Board is being investigated for misconduct or has an interest in a matter under consideration, such member shall be excluded from the proceedings, and no proceedings shall be invalidated by reason of such exclusion.
- 56.2 When it is necessary to deal with a member of a profession, the Board may co-opt a member of that profession, to assist the Board and a member so co-opted shall not exercise any vote.
- 56.3 The Disciplinary Board may deliberate on a matter and either conclude it or call for the further evidence where necessary, and shall forward its findings or decisions or recommendations to the Church Council.

57 DIACONIA, EVANGELISM AND STEWARDSHIP BOARD (DESB)

There shall be a Diaconia, Evangelism and Stewardship Board whose composition shall be in accordance with clause 35.

58 FUNCTIONS OF THE DESB

The functions of the Diaconia, Evangelism and Stewardship Board shall be:

To carry out all functions of Diaconia, Evangelism and Stewardship as directed by the Ministerial Board.

59 THE EPISCOPAL COUNCIL

59.1 There shall be an Episcopal Council to oversee and supervise the Administration of the Central Church and shall be accountable to the Church Council.

59.2 The Episcopal Council shall comprise The Diocesan Bishops and the Council may co-opt any member for advice as they deem desirable.

60 FUNCTIONS OF THE EPISCOPAL COUNCIL

60.1 To share their experiences on their core business of the oversight of dioceses.

60.2 To regulate order and unity in the church

60.3 To lay down rules for the participation in ecumenical endeavours.

60.4 To represent the church in ecumenical discussions.

60.5 To guard against heretical teachings

60.6 To encourage and to engage people in positions of governmental and societal authority to motivate them to exercise their authority in favour of all people.

WORKERS OF THE CHURCH

61 THE GENERAL SECRETARY

The Church Council shall appoint one person called the General Secretary of the Church. The General Secretary shall, in his functions be answerable to the Episcopal Council and report on a daily basis to the Presiding Bishop. This person should be preferably be a pastor.

62 QUALIFICATIONS OF THE GENERAL SECRETARY

The General Secretary shall hold at least a degree from a recognised institution or equivalent qualification. Such degree or qualification shall be relevant to the functions of the General Secretary specified in article 63.

63 FUNCTIONS OF THE GENERAL SECRETARY

The functions of the General Secretary shall be:

- 63.1 To perform or supervise the Church's administration under the direction of the Presiding Bishop.
- 63.2 To implement all decisions of the Church Council referred to him.
- 63.3 To ensure that the Church's finances are properly administered by the Treasurer.
- 63.4 To ensure that the resolutions of the Church Council are implemented.
- 63.5 To carry out such other functions as may be delegated to him from time to time by the Presiding Bishop. It is hereby recorded that the Church Council may, if it thinks fit, alter or add to, or reduce or otherwise vary the duties of the General Secretary.
- 63.6 The General Secretary is the head of all Administration including financial matters

64 TREASURER

There shall be a treasurer who falls under the umbrella of the General Secretary.

65 FUNCTIONS OF THE TREASURER

- 65.1 Shall be responsible for the budget processes of the Central Church
- 65.2 Receives and account for funds from other accounts
- 65.3 Manages the cash flow of the organisation
- 65.4 He/she advises or recommends where investments must go
- 65.5 He/she liaises with auditors for audit reports
- 65.6 Shall keep accurate accounts of income and expenditure and submit financial reports to the Church Council and Church Assembly whenever required

66 THE PASTOR IN CHARGE OF A PARISH

- a. One of the Pastors working in a Parish shall be appointed Pastor in charge by the Diocesan Bishop.
- b. The task of the Pastor-in-Charge is:
 - 66.1.1 To take care of and watch over all the congregations in his Parish and to supervise the activities thereof.
 - 66.1.2 To meet the Elders of the Parish at least twice a year at a special meeting in order that they may be refreshed through Bible Study-receive guidance and advice regarding the work and exchange thoughts regarding the flock;
 - 66.1.3 To call together the Parish Council, as provided for in this constitution;
 - 66.1.4 To submit an Annual written Report to the Parish Assembly, the Dean and the Diocesan Bishop about the Spiritual life and work in the Parish during the preceding year;
 - 66.1.5 To attend the Deanery and Diocesan and Church Assemblies;
 - 66.1.6 To keep a proper inventory of Church property in the Parish.
 - 66.1.7 To keep and maintain in good order all records and registers required by the Dean.
 - 66.1.8 The Pastor in charge is accountable to the Dean and the Bishop

67 THE DEANS

67.1 Eligibility

To be eligible for the post of Dean in the Church, a Pastor must have served as a Pastor for not less than 10 years and must have at least a Diploma in Theology from a recognised Institution.

67.2 Election Of Deans

- 67.2.1 A Deanery Pastors meeting chaired by the Bishop shall elect 5 candidates for the consideration of the Deanery Assembly. The candidates may be from any Diocese within the ELCZ
- 67.2.2 The Deanery Assembly shall short list two from the five names submitted
- 67.2.3 These two shall be submitted to the Diocesan Council for coordination of nominations
- 67.2.4 The shortlisted candidates will be submitted by the Diocesan Council to the Diocesan Assembly for the election of Deans

67.3 Term of Office

The term of office for a Dean shall be five years but he/she may be re-elected.

68 DUTIES OF THE DEAN

- 68.1 To take care of all the Parishes and institutions of the Deanery and oversee the activities thereof.
- 68.2 To visit each Parish of the Deanery at least once a year and give the Pastor-in-Charge all possible assistance.
- 68.3 To carry out duties entrusted to him by the Bishop.
- 68.4 To be a member of the Diocesan Council.
- 68.5 To submit annual reports to the Bishop and the Deanery Assembly.
- 68.6 To call and chair meetings of the Deanery Council.
- 68.7 He shall convene the first Deanery Assembly to elect office bearers.
- 68.8 To provide spiritual leadership and guidance in the Deanery.

69 THE DIOCESAN BISHOP

69.1 Eligibility

To be eligible for election as a Bishop, a person shall:

69.1.1 Be a Pastor of the ELCZ who has served as such for a period of not less than 10 years.

69.1.2 Be not less than 50 years of age.

69.1.3 Have a minimum educational qualification of at least a Diploma and preferably a degree in Theology from a recognised institution.

69.2 Term of Office

The term of office for a Bishop shall be until retirement.

69.3 Election of Bishop

The election of a Diocesan Bishop shall follow the following procedure:

69.3.1 The Pastors within the Diocese, shall meet, chaired by a Bishop shall select five names for the consideration of the Diocesan Assembly. The candidates may be from any Diocese within the ELCZ.

69.3.2 The Diocesan Assembly shall elect 2 candidates out of the five candidates referred to it by the Pastors.

69.3.3 The two candidates elected by the Diocesan Assembly shall then be referred to the Church Council for coordination of the nominations.

69.3.4 The Church Council shall refer the two names from each Diocese to the Church Assembly.

69.3.5 The Church Assembly shall then elect a Diocesan Bishop for each Diocese from the candidates for the respective Dioceses submitted to it by the Church Council.

69.3.6 The candidate who gets the highest vote shall be declared the Diocesan Bishop **elect** for his Diocese. In the event that the unelected candidates had been nominated by other Dioceses, those Dioceses shall have the right to add the names of the unelected candidates to their list.

69.3.7 The Diocesan Bishop shall only take office after his consecration in accordance with the tradition of the ELCZ.

70 RESPONSIBILITIES OF THE DIOCESAN BISHOP

- 70.1 The Bishop is the spiritual leader in his Diocese and shall as such encourage, comfort, give advice and reprimand by the Word of God and also help and give spiritual care to the Pastors and other workers of the Church. In order to acquaint himself with the life and work of the Church, he should as often as possible, visit the Parishes, Institutions and Departments of Administration.
- 70.2 He shall be the representative of the Diocese before other churches, the Government and other public bodies at ecumenical gatherings and other functions.
- 70.3 He shall execute all the orders and opinions of the Church Council and the Church Assembly, the Diocesan Council and Diocesan Assembly. He shall see that all the rules and regulations of the Church are observed.
- 70.4 The Bishop shall convene the Diocesan Assembly where the office bearers are elected.
- 70.5 He shall, every year or whenever necessary, call the Pastors to a meeting and shall chair the meeting.
- 70.6 The Bishop shall ordain the new Pastors approved for the sacred Ministry by both the Ministerial Board and the Church Council.
- 70.7 The Bishop shall conduct induction ceremonies for the Deans.
- 70.8 He shall dedicate new Churches, chapels and other buildings erected for divine service.
- 70.9 The Bishop shall install in service a Pastor who has been entrusted with the care of a Parish.
- 70.10 The Bishop shall visit for inspection each Parish at least once in every two years, assisted by the Dean of the Deanery and shall report on all activities within the Parish to the Diocesan Council.
- 70.11 The Bishop shall receive the Annual reports of the Deanery as well as of all heads of institutions and departments in his Diocese and draw up his own Annual Report. He shall give the Diocesan Assembly a summary of the period passed since the last meeting.
- 70.12 The Bishop shall be accountable to the Church Assembly and Diocesan Assembly.

71 THE PRESIDING BISHOP

71.1 Out of the Diocesan Bishops one shall serve as the Presiding Bishop of the ELCZ for a period of 5 years.

72 FUNCTIONS OF THE PRESIDING BISHOP

The Presiding Bishop shall have the following functions:

- 72.1 He shall chair the meeting of the Bishops.
- 72.2 He shall be the representative of the Church before other churches, the Government and other public bodies and at ecumenical gatherings and other functions.
- 72.3 Whenever possible, he shall pay visits to each Diocese to promote the unity and spiritual well being of the Church.
- 72.4 He shall call for reports from the other Diocesan Bishops to enable him to prepare a joint report of Bishops to the Church Assembly.
- 72.5 He/She shall convene and chair Church Council meetings.
- 72.6 He/She shall hold consultative meetings with other Diocesan Bishops at least four times a year.
- 72.7 He/She shall supervise the General Secretary
- 72.8 He/She shall chair the meetings of the Episcopal Council.

73 THE AUTHORITY OF THE CHURCH

- 73.1 The Church shall be entitled to acquire, hold, possess and own property both movable and immovable as well as dispose of such property through the Church Council. All immovable property, however, acquired shall be registered in the name of the Church.
- 73.2 The Church Council shall have a right, power, and authority to buy, acquire, receive donations, mortgage or dispose of any of the properties of the Church after passing a majority resolution in accordance with the voting process in the Church Council. The Church Council shall have authority to transfer, bond or hypothecate, and sign through its Chairman and Secretary, and execute all necessary documents, instruments and powers of attorney to enable such transfer to be given or received as the case may be, or to pass or cancel any bonds.

73.3 The Church shall continue its programme of decentralization of Church property, but properties which provide common services shall remain the property of the whole Church.

74 THE CENTRAL TREASURY

74.1 All grants and subsidies given to the Church shall be entered into the Central Funds under the jurisdiction of the Church Council and be used for the purposes for which they have been granted.

74.2 The Treasurer shall be in charge of all Central Funds such as:

 69.2.1 The Central Church Fund

 69.2.2 The Central Medical Fund

74.3 Surplus funds not required immediately shall be invested either in the Post Office Savings Bank or with a well reputed Bank or Building Society.

74.4 The Treasurer shall keep accurate accounts of Income and Expenditure and submit financial reports to the Church Council and Church Assembly whenever required.

74.5 Detailed regulations regarding transactions between the Central Funds and the local accounts, budgeting and accounting procedures, sources of funds and means of collecting funds, shall be stated in the By-laws.

75 POWER TO MAKE BY-LAWS AND REGULATIONS

The Church Council shall have the right to frame by-laws for elections, committees, conduct of meetings, salaries, pensions and for all other purposes not inconsistent with any of the rules or regulations of this constitution.

76 MEDIATOR

76.1 In case of a strife within the Church, the Church Council shall call an extra-ordinary Church Assembly for the purpose of settling the strife.

76.2 A committee of not less than 3 elders from each Diocese may recommend to the Church Council the convening of the extra-ordinary Church Assembly to deal with the strife.

- 76.3 Where the above fails, the Church Council or the Presiding Bishop may call for a Mediator from a sister Lutheran Church, or the Lutheran World Federation.
- 76.4 The Mediator shall have authority to call together the parties to the strife in order to settle and endorse the terms of settlement of the strife agreed upon.

77 AMENDMENTS OF THE CONSTITUTION

Except for the paragraph on the Faith and Doctrine of the Church and the paragraph on Amendments of this Constitution, which two articles cannot be changed, amendments of this Constitution may be made in the following way:

A proposed amendment of this constitution shall be submitted to the Church Council, and if supported in terms of the voting system in the Church Council, shall be referred to the Parish, Deanery and Diocesan Assemblies, for consideration, observation and comments.

The amendment shall then be submitted to the Church Assembly where it shall be passed if supported by at least two thirds of the delegates, in accordance with the voting process of the Church.

78 TRANSITIONAL ARRANGEMENTS

After the adoption of this constitution, a Dean who has served a period of less than 5 years shall be allowed to serve a further period of 5 years from that date. A Dean who has served for a period in excess of 5 years but less than 10 years shall be allowed to continue to serve and complete the 10 year period as provided for in the previous constitution under which he/she was elected.