

CONSTITUTION OF AUSTRALIAN LUTHERAN WORLD SERVICE

I. NAME

The name of this organisation is Australian Lutheran World Service, hereinafter referred to as 'ALWS'.

II. PURPOSE AND RELATIONSHIP TO THE CHURCH

1. ALWS shall serve as the overseas aid and resettlement agency of the Lutheran Church of Australia, hereinafter referred to as 'the Church'. It shall seek to translate the spirit of Christian love and faith of the Church's members, congregations, schools and auxiliaries into programs of effective service to those who have most need of them.
2. The Church shall have the power to assume and exercise full control of all funds and assets of ALWS, provided that a resolution to this effect shall have been adopted by the General Synod of the Church at any time of its regular or special conventions and provided also that such control shall be exercised subject to the purposes and conditions under which such funds or assets were acquired.

III. ADMINISTRATION

1. (a) The management of the affairs of ALWS shall be vested in a Board of Directors, consisting of
 - (i) A Chairman to be appointed by the General Church Council;
 - (ii) One (1) member from each of the following Districts of the Church, namely New South Wales, Queensland, South Australia and Victorian Districts to be appointed by the Church Council of the respective Districts.

The Chairman shall be a Pastor of the Church and shall serve as the Counsellor of the Church for ALWS, in accordance with the Church's BY-LAWS Section VIII. I.2
- (b) Each member of the Board of Directors shall serve for one synodical term of the Church but shall be eligible for re-appointment. Any casual vacancy shall be filled by the respective appointing body.
- (c) The Board of Directors shall be responsible for the continuing function of ALWS as defined in Section IV. of this Constitution.
- (d) The Board of Directors shall, in consultation with the General Church Council, appoint an Executive Secretary who shall be responsible to the Board for the overall conduct of the ALWS office, its staff and management of the funds under its control.

- (e) The Board shall meet at least annually.
- (f) The Board shall publish an annual report including an audited financial statement.

IV. FUNCTION

The following are the functions of ALWS:

1. It shall promote within the Lutheran Church of Australia and in accord with the overall program of the Church, the aid programs of the Lutheran World Federation, Department for World Service and shall foster a continuing program of information and education consistent with Christian social responsibility, the needs of the deprived and needy of the world;
2. It shall receive and bank overseas aid contributions in the Lutheran World Service - Overseas Aid Fund, hereinafter referred to as the Fund; and shall observe the specific conditions of that Fund viz:
 - (a) The Fund shall be directed exclusively to the relief of persons in developing countries as certified by the Australian Minister for Foreign Affairs and known generally as the 'OECD List of Developing Countries';
 - (b) Gifts to the Fund shall be kept separate from other funds in a separate bank account which shall accord to clear accounting procedures.
 - (c) Receipts for all gifts to the Fund shall be issued in the name of the Fund.
 - (d) The public shall be permitted to contribute to the Fund.
 - (e) The ALWS Board of Directors shall be responsible for the management of the Fund.
 - (f) The Fund shall operate on a non-profit basis. Funds shall not be distributed to members of the Board of Directors unless as reimbursement for out-of-pocket expenses incurred on behalf of the Fund or proper remuneration for administrative services.
 - (g) In the event of the Fund being wound up, excess moneys and any assets not applied for the relief of persons in certified developing countries shall be transferred to another fund which shall be an eligible fund for the purposes of sub paragraph 78(4) table 9, item 9.1.1. of the Income Tax Assessment Act;
 - (h) The Australian Taxation Office shall be advised of any change of clauses relating to the Fund.

3. It may seek membership in other Australian organisations promoting the cause of overseas aid and development and shall represent the interests of the Lutheran Church in the activities of such organisations;
4. It may also serve as national sponsor for and solicit donations for aid or development projects in a developing country which are not part of a Lutheran World Federation field program, or are not normally subject to tax deductibility. Responsibility for such involvement shall rest with the ALWS Board of Directors and each project shall be governed by generally accepted standards of human development including real need, self-help, people's participation and the like.

V. ALTERATIONS TO THE CONSTITUTION

The constitution and any By-Laws made pursuant thereto may be amended, altered, added to or repealed by a resolution of the General Church Council after consultation with the Board of Directors.

BY-LAWS

II. PURPOSES AND RELATIONSHIP TO CHURCH

ALWS, as the overseas aid agency of the Church, shall be conducted in the interest and under the supervision of the Church.

III. ADMINISTRATION

1. Directors on the Board of Directors of ALWS shall be members of the Lutheran Church of Australia, who are able to function in a supportive and supervisory way and who have or are willing to acquire expertise in the field of overseas aid.
2. The Board of Directors shall, each synodical term elect one of its members as Vice-Chairman.
3. The Chairman, Vice-Chairman and the Executive Secretary shall constitute an Administrative Committee, which shall attend to such tasks as are delegated to it by the Board of Directors.
4. The Board of Directors shall determine the number of permanent full-time staff to be employed.
5. The Administrative Committee shall authorise the engagement of temporary staff employed on a continuous basis for longer than two weeks at a time.
6. All staff appointments shall be made by the Executive Secretary.

7. The Executive Secretary:
- (a) shall organise meetings, prepare agendas and keep minutes of meetings of the Board of Directors and the Administrative Committee.
 - (b) shall receive moneys from all sources and deposit them in the appropriate bank accounts of ALWS,
 - (c) shall be the custodian of all funds, equipment and property of ALWS,
 - (d) shall make such disbursements as are authorised by the Board of Directors,
 - (e) shall be responsible to the Board of Directors for the management and functioning of the ALWS office, the general welfare of its staff, and for liaison with bodies with which ALWS has some form of affiliation,
 - (f) shall be responsible for contact with the officials, congregations and members of the Church and relationships with other overseas aid organisations,
 - (g) shall maintain a working relationship with the Lutheran World Federation, Department for World Service and its field program and shall keep informed of significant development in these and other aid ministries,
 - (h) shall, upon request, act on behalf of the Lutheran World Federation, Department for World Service in matters relating to the resettlement of refugees and immigrants in Australia.
 - (i) shall keep the Board of Directors informed of ALWS involvement in overseas aid matters to the extent required by them and shall publish on behalf of the Board an approved form of Annual Report for distribution to the General Church Council and amongst members of the Church, related agencies, friends and supporters,
 - (j) shall perform such duties as may be assigned to by the Board of Directors.
8. The Executive Secretary and such staff members as the Board of Directors determine may be required to give a fidelity bond issued by an approved surety company, the amounts to be determined by the Board of Directors and the premiums to be paid by ALWS.