



SUTTON COLDFIELD BAPTIST CHURCH

Making Sense of Life Together, Sharing the Love of Jesus

CIO Constitution Comparison

Introduction

At our Church Members' Meeting on 3rd February 2022 a presentation was made outlining a proposal to change the existing legal structure of the Sutton Coldfield Baptist Church charity.

This change of legal structure requires a new constitution to be approved by the Church Members. Both the existing and new constitutions are available to all members.

To assist with comparing the two constitutions a grid has been compiled indicating where the new constitution references the existing constitution and noting any changes.

It isn't possible for this document to fully account for every change and this information serves as only a guide to assist when directly comparing the existing and new constitutions.

Comparison

New Constitution	Existing Constitution	Changes
1 - Name	1 – The Church and its name	Changed to reflect being a CIO
2 – National location of principle office		This section is new.
3 – Purpose	2 – Purpose	
4 – Beliefs	3 – Beliefs	
5 – Activities	4 – Activities	
6 – Affiliation	5 – Affiliation	5.2 not present in the new constitution.
7 – Powers	18 – Powers of Charity Trustees	This section has been expanded in the new constitution to reflect the church having its own legal entity.
8 – Application of income and property	19 – Application of income and capital	This section has been expanded in the new constitution to outline trustee benefits with regards to expenses and indemnity insurance. The section has an additional clause (8.4).
9 – Benefits and payments to Charity Trustees and Connected Persons	20 – Remuneration of Charity Trustees	This section has been expanded to add extra clarity and protections for the organisation.
10 – Conflicts of interest and conflicts of loyalty		This section is new to add clarity and protections for the organisation.
11 – Liability of members to contribute to the assets of the church if it is wound up		This section is new.
12 – Membership of the Church	7 – Joining and becoming a Church member 6 – Belonging to the Church 8 – The membership list	This section has been slightly amended and is structured differently in the new constitution. Additional wording has been added to reflect being a member of a CIO.
13 – Church Members’ Meetings	9 – Church Members Meetings 10 – Ordinary and special Church Members’ Meetings 11 – Calling Church Members’ Meetings 12 – The conduct of Church Members’ Meetings	The requirement for an Annual General Meeting has been split out (see 10.3 in the existing constitution). Additional clarifying clauses in 13.2, 13.3, and 13.6 of the new constitution have been added.

	13 - Voting	Some clarifying amends/additions have been made in section 13.8 of the new constitution. Section 13.9 brings together and clarifies decisions which must be taken in a specific way.
13.12 – Participation in Church Members’ Meetings by electronic means		This section is new and enables meetings to be held electronically under specific circumstances.
14 – Charity Trustees and the Church Members’ Meeting	15 – The appointment and removal of Charity Trustees	Some additional clauses have been added to clarify the qualities of trustees, their responsibilities and role. Clauses 14.5 and 14.6.1 are provisions for creating the CIO.
15 – Church Administrator	15.6	
16 – Ministers	21 – Ministers 22 – The appointment and removal of Ministers 23 – The remuneration of Ministers	16.9 is new and outlines the level of support required for a minister to be appointed.
17 – Information for new Charity Trustees		This section is new
18 – Retirement and removal of Charity Trustees		This section is new
19 – Reappointment of Charity Trustees		This section is new
20 – Taking of decisions by Charity Trustees		This section is new
21 – Delegation by Charity Trustees		This section is new
22 – Meetings and proceedings of Charity Trustees	17 – Proceedings of Charity Trustees	Some clarifications have been added. Similar to 13.12, provision for electronic meetings has been added.
23 – Saving provisions		This section is new
24 – Execution of documents		This section is new
25 – Use of electronic communications		This section is new
26 – Keeping of Registers		This section is new

27 – Minutes	14 - Minutes	This section brings together principles from the existing constitution and adds some additional clauses.
28 – Accounting records, accounts, annual reports and returns register maintenance	25 – Finance 26 – Record keeping and accounting	This section has been clarified.
29 – Proper Rules or a Church Handbook		This section is new
30 – Disputes	6.2	30.1 is new
31 – Amendment of constitution	27 - Constitution	This section has some additional clauses.
32 – Voluntary winding up or dissolution	28 – Closure	This section has some additional clauses to reflect being a CIO.
33 – Interpretation		This section is new
34 – Use of electronic communications		This section is new

Removed Sections

The following sections are present in the old constitution and not in the new:

16 – Responsibilities of Charity Trustees

16.1 is covered in 14.1.13 and the requirements of the Charity Commission

16.2 is a requirement of trustees as indicated by the Charity Commission

24 – Pastoral vacancies and the appointment of a moderator

This section is not present in the new constitution.