

**The Constitution of Evangelical Lutheran
Church in South Sudan/ Sudan**

2011
AS AMMENDED 2019

PREAMBLE

Whereas the Evangelical Lutheran Church in South Sudan and Sudan abbreviated as (ELCSS/S) shall exist as a church instituted to preach, teach, edify, nourish and worship through the administration of the sacraments, obey and follow God's instructions as written in the Holy Scriptures contained in the 39 canonical books of the Old Testament and 27 books of the New Testament, firmly believing that these books are inspired words of God.

Conscious of the symbolical books of the Lutheran Confession; The Church guided by the inspiration of the Holy Spirit shall fulfil it's mission and vision by the help of this Constitution.

Whereas the Evangelical Lutheran Church in South Sudan and Sudan and every member of this Church accepts without reservation the Scripture of the Old and New testaments as the inspired word of God.

Thus, we the members of the said Church solemnly resolve enact a constitution known as ELCSS/S Constitution 2011 amended 2019 and adopt this Constitution to guide us towards commitment and service to Gods flock in the communities.

This Constitution shall come into force upon approval of the General Assembly and endorsement by the bishop/Presiding bishop of the ELCSS/S.

-Title/Citation of the Constitution.....	1
- Preamble.....	2
- Table of content.....	3
Article One: Name of the Church.....	4
Article two: Supremacy of the Constitution.....	4
Article Three: The Doctrine of ELCS/SS.....	5
Article Four: Aim of the Church	5
Article Five: Membership.....	6
Article Six: The Structure of ELCS/SS	6
Article Seven: Congregation meetings	7
Article Eight: Parish, Deanery & diocese	8
Article Nine: The General Convention.....	9
Article Ten: The offices in the Church	10
Article Eleven: Deacons and Deaconess.....	11`
Article Twelve: An Evangelist.....	11
Article Thirteen: The church Helper/ laity	12
Article Fourteen: A pastor	12
Article Fifteen: the office of the Dean	14
Article Sixteen: the office of the Bishop.....	15
Article Seventeen: Entitlements of a Bishop	17
Article Eighteen: The Office of assistant Bishop.....	17
Article Nineteen: the presiding Bishop.....	18
Article Twenty: The Duties of Presiding Bishop.....	19
Article Twenty One: Entitlement of the presiding Bishop	19
Article Twenty Two: Secretary General	20
Article Twenty Three; the function of Secretary General.....	21
Article Twenty Four: The Deputy General Secretary.....	22
Article Twenty Five: The Function of Deputy General Secretary.....	23
Article Twenty Six: Finance of the Arc-Diocese.....	24
Article Twenty Seven: The Treasurer of the Arch-Diocese	24
Article Twenty Eight: The finance committee	25
Article Twenty Nine: The Church Chancellor.....	25
Article Thirty: The Church Council	26
Article Thirty One: The General Pastors Convention.....	27
Article Thirty Two: The Diocesan Pastors convention	27
Article Thirty Three: The church commissions	27
Article Thirty Four: The propriety Rights.....	28
Article Thirty Five: The Treasuries of the church association	29
Article Thirty Six: Amendment of the constitution	29
Article Thirty Seven: Discipline of church servants	30
Article Thirty Eight: Measures for monitoring discipline.....	30
Article Thirty Nine Bishop Signature.....	31

CHAPTER ONE

ARTICLE ONE: THE NAME OF THE CHURCH

Section (1)(a) The name of the Church shall be called “The EVANGELICAL LUTHERAN CHURCH IN The Republic of South Sudan & The Republic of Sudan”. Hereinafter this Church is referred to as ELCSS/S.

(b) This Constitution shall be cited thereafter as “THE CONSTITUTION OF THE EVANGELICAL LUTHERAN CHURCH IN THE REPUBLIC OF SOUTH SUDAN AND THE REPUBLIC OF SUDAN (ELCSS/S)

(C) The head office of the Evangelical Lutheran Church in South Sudan/ Sudan shall be located at **Juba the capital city of the Republic of South Sudan.**

(d) Without prejudice to the provision in section (1)(c) above, the General Convention may resolve to re-locate the head office to any other location in the Republic of South Sudan/ Sudan as it may deem it fit.

(e) The official Language for the Church shall be English and Arabic in the two sister countries Republic of South Sudan and the Republic of Sudan. Other indigenous languages or dialects shall be used in the preaching Centers, Congregations and parishes for worship and meetings where church members are mainly indigenous people.

(f) The Church shall promote the indigenous Languages through translations and publications to allow believers express themselves eloquently in their own Languages. English shall be used in all communications between the head office and the deaneries, parishes, congregations and Centers.

ARTICLE TWO: SUPREMACY OF THE CONSTITUTION

Section (1) This Constitution shall be the supreme law of the ELCSS/S. And shall have a binding force on all authorities and persons within the ELCSS/S.

Section (2) If any other law, or any custom is inconsistent with any of the provisions of this Constitution, the Constitution shall prevail, and that other law or custom, shall to the extent of the inconsistency, be void.

Section (3) It is prohibited for any person or group of persons to take or retain control of the ELCSS/S, except in accordance with the provisions of this Constitution.

. Section (4) Any person who singly or in consent with others, by any violent or any other unlawful means, suspend, overthrow, abrogates, or amends this Constitution or any part of it or attempts to do any such act, commits a grave offence and shall be disciplined by the relevant authorities according to the law

ARTICLE THREE: THE DOCTRINE OF THE ELCSS/S

Section (1) The doctrine of the ELCSS/S is grounded exclusively on God's inspired Word as written in the Canonical books of the Bible.

Section (2) The Books of the Old and the New Testament are accepted as the inerrant divine truth inspired by the Holy Spirit. The Lutheran Confessions of the Book of Concord (1580) are accepted as the correct and binding exposition of the Holy Scriptures. These confessions are: the three Ecumenical Creeds of the ancient church: The Apostles' Creed, the Nicene Creed, and The Athanasian Creed; the Unaltered Augsburg Confession and its Apology; the Smalcaldic Articles; the Small Catechism of Dr. Martin Luther, the Large Catechism of Dr. Martin Luther and the Formula of Concord.

Section (3) (a) All Church instructions shall be based on the books mentioned in section two above

(b) The ELCSS/S shall always instruct all its congregations in Dr. Martin Luther's Small Catechism, that all church servants know and acknowledge the Lutheran Confessions as the Confession of their Church and that all pastors bind themselves in faith, teaching and confession to the teachings of the Lutheran Confessions in their Ordination Vow.

Section (4) The ELCSS/S is aware of the unity of the faithful with the Church of the Apostles and orthodox Christians of all times;

The E LCS/SS shall therefore in altar and pulpit fellowship with the Lutheran Churches, Lutheran Congregations and Lutheran Christians in the whole world, in so far as these churches and these Lutheran Christians unambiguously abide by the teachings of the Lutheran Confessions and act accordingly.

Section (5) Only individuals, congregations and churches which are bound by the Holy Scriptures and the Confessions of the ELCSS/S, shall be permitted to have pulpit fellowship within the Churches of ELCSS/S. ELCS/SS does not allow any pulpit fellowship with other religions, but individuals from other Religions are allowed to attend worship fellowship with the ELCSS/S.

This paragraph is unaltered.

ARTICLE FOUR: THE AIM OF THE CHURCH

Section (1) The aim of the Church is enshrined in the mandate of Christ in Mt. 28: 18-20. The Church shall dedicate herself to the teaching of the Gospel of Jesus Christ and to the administering of the Holy Sacraments in accordance with Christ's institution and to the exercising of the power of the Keys of Heaven; The service in the Kingdom of God as his Kingdom of Grace is directed to all her members and to those who as yet do not acknowledge the Lord Jesus Christ.

Section (2) The Church shall always take care, that all her members as followers of Christ, serve all the needy and suffering in this world by virtue of God's loving kindness and mercy.

Section (3) PULPIT FELLOWSHIP AND PARTICIPATION IN THE HOLY COMMUNION

3. (a) Church fellowship shall only be possible where "the Gospel is preached in conformity with ELCSS/S Doctrine and the Sacraments are administered in accordance with the divine Word" (CA VII).

Thus, at the outset church fellowship, the Holy Communion can be practiced exclusively with Lutheran Christians who abide in faith and live by the Lutheran Confessions. Pulpit fellowship shall insolubly bound up with the administration of the Holy Sacraments; neither may be separated from the other.

3.(b) All new converts to the ELCSS/S shall undertake the relevant instructions before admission to the Holy Communion.

ARTICLE FIVE: CHURCH MEMBERSHIP

Section (1). Membership of ELCSS/S shall be obtained through infant and adult baptism. Christians that have been baptized in other churches, in the name of The Father, The Son and The Holy Spirit and desire to join ELCSS/S are received by public confirmation which shall be administered after proper teaching and preparation.

Christians of other Lutheran Churches who desire to join ELCSS/S are received after examination by the Parish Pastor in the presence of the Church Council. Every member of the Church must be a member of a local ELCSS/S congregation.

Section (2) Termination of membership is effected by desertion from the confessional Lutheran Church (ELCSS/S) to another Lutheran church or any other churches different from the ELCSS/S to the regulations of the Church, or through relinquishment of membership, or through excommunication according to the disciplinary rules, or death.

Section (3) Whoever leaves the Church thereby automatically forfeits all rights connected with her/him, and loses any claim to the Church property and/or any refunds of membership fees, other contributions, donations or gifts of any kind given to the congregation or to the Church as a whole.

Section (4) Neither the heirs nor the executor or administrator or assignees of the estate of a member of this Church who is deceased shall have any claim to a refund from the Church of membership fees, other contributions, donations, or gifts of any kind which the deceased him/herself paid or made or which were paid or made on his/her behalf to the Church or any of his/her congregations, associations or institutions.

Section (5) Further particulars concerning the duties and privileges of Church members shall be enshrined in the By-laws.

ARTICLE SIX: THE ELCSS/S STRUCTURE

Section (1) The ELCSS/S organizes herself into Centers, congregations, parishes, deaneries, Diocese and an Arch- diocese.

Section (2) Congregation:

A Centre shall be led by a catechist and a congregation shall be led by an evangelist A Congregation compose of a number of adult believers ranking from 75 and above. A congregation shall be headed by an evangelist/catechist. A Congregation shall compose of

a number of Centers ranking from three (3) and above. Each Center may consist of at least 25 members.

Section (3) A congregation shall be administered by an evangelist/catechist who shall be answerable to the Parish. The jurisdiction of each congregation shall be determined by the relevant authority.

Section (4) The creation of a new congregation shall be determined under the following conditions:

- a. The size or number of the converts or believers in a particular area
- b. The Land for the Church
- c. Approval of the local authority.

Section (5) Every congregation shall be administered by an evangelist in corroboration with the Congregation council of elders. A Congregation Council of elders shall compose of seven members.

Section (6) The congregation shall own all property it has acquired by purchase, testaments and other kinds of donation.

The congregation must utilize the said property according to the purposes given by the Church. In the case of partitioning the congregation, it is the responsibility of the Parish Council to re-allocate this property.

ARTICLE SEVEN: THE CONGREGATIONAL MEETING

Section (1) The Congregational Meeting shall be convened for the following:

- (a) To elect the Church council.
- (b) Laymen for offices in the congregation,
- (c) The annual briefing on the reports concerning the affairs of the congregation, to pass the budget of the Congregation and the Annual Financial Report from the treasurer of the congregation.
- (d) An extra-ordinary Congregational Meeting may be convened when important matters of emergence nature arises.

Section (2) The Congregational Council meetings shall be chaired by the Evangelist who shall be the head of the Congregation. The resolutions shall be decided by a simple majority vote. In the case of an equal number of votes the Chairman shall participate in the casting of vote. Fifty per cent of the members of a congregation shall constitute a quorum for a congregation meeting.

Section (3) All elections shall be carried out by secret ballot vote unless all the council members agree to the contrary.

Section (4) The Congregational Council represents the congregation in decision making on the affaires of the Congregation. The resolutions and declarations of the Congregational Council shall be signed by the Chairman and endorsed with the seal of the Church.

Section (5) Legal matter above the jurisdiction of the Congregation shall be referred to the relevant authority of the Church.

All property acquired by church funds from any source of ELCSS/S shall remain the property of ELCSS/S.

ARTICLE EIGHT A PARISH, A DEANERY & A DIOCESE:

Section (1) A parish shall be a bigger Center which shall compose of at least three to five congregations depending on the size of the congregations. A parish shall be headed by a pastor. The pastor in-charge of a parish shall be responsible to serve or administer the congregations under his parish.

Section (2) Should a parish consist of congregations more than five (5) in number, the Parish Council members shall be drawn from representatives of all the congregations.

Section (3). Deanery

(a) A deanery shall compose of at least three parishes. A deanery shall be headed by a dean, who shall oversee the parishes under his deanery.

(b) A dean shall be answerable to the bishop of the diocese.

Section (4)(a) A Diocese: The various congregations, parishes and deaneries of the Church shall be grouped on a territorial basis to constitute a diocese.

A diocese shall compose of at least three deaneries. A diocese shall be headed by a bishop who shall administer spiritual supervision over the deaneries and parishes under his diocese.

(b) Where one diocese grew and attain the capacity of creating another diocese out of it, the geographical boundaries of one diocese shall determine ownership over the fix assets of the two sister dioceses.

(c) Where new diocese is created, the sitting bishop shall continue to oversee the newly proposed territory or delegate one of the deans as caretaker of the area until a bishop is elected for the new diocese.

(d) A committee shall be constituted to go and assess the proposed diocese whether or not the Church in the proposed area meet the requirements to qualify for a diocese.

(e) The deaneries present shall present names of nominees for the proposed diocese through the office of the Secretary General to the bishop.

(f) Where there is only one diocese and one bishop, the bishop shall convey a synod which shall constitute the electoral body to vote for the nominees.

(g) Where there is more than one diocese and more than one bishop, the house of bishops and some selected clergy and lay people shall constitute the electoral body to vote for a new bishop/s.

(h) The Diocesan Council shall compose of the executive body of the diocese, which shall include the “Deans”¹ and some senior lay people, and the Diocesan Synod shall compose of all pastors, evangelists of the diocese and lay delegates who have been elected by the individual congregations in their Congregational Meetings.

CHAPTER TWO

ARTICLE NINE: THE GENERAL CONVENTION OF THE EVANGELICAL LUTHERAN CHURCH IN SOUTH SUDAN AND SUDAN.

Section (1) There shall be a general Convention of the Evangelical Lutheran Church in South Sudan and Sudan.

Section (2)(a) The General Convention shall draw participants from all the Evangelical Lutheran Church in South Sudan and in Sudan.

(b) The number of participants to come from each deanery or diocese shall be determined by the General Convention from time to time.

(c) The general Convention may invite members of other Lutheran Churches from outside South Sudan and Sudan to come and attend the General Convention.

Section (3)(a) The General Convention shall be chaired by the Presiding bishop of the Evangelical Lutheran Church in South Sudan/ Sudan.

(b) Where the office of the presiding bishop falls vacant, the senior bishop present shall chair the General Convention.

Section (4) The General Convention shall be the supreme authority of the Evangelical Lutheran Church in the two sister Countries.

Section(5)(a) The general convention shall be held once after every three (3) years.

(b) An extra ordinary General Convention may be called for at any time to discuss specific Issues of emergency concern affecting the whole Church.

(c) An extra ordinary Convention shall not have the mandate and authority to amend this Constitution.

(d) The General Convention shall have the authority to adopt and amend this Constitution, or any provision of it.

(e) The General Convention shall have authority to decide on issues pertaining the doctrine of the ELCSS/S and to authorize the formation of the highest tribunal of the church capable of investigating and determining remedies to issue of discipline concerning the presiding bishop, the bishops, the Secretary General and other top officials of the Church. **(e)** The resolutions of the General Convention and the Synod shall take effect after publication. All the church hierarchy, the Church organizations shall be equally bound by the resolutions passed by the above-mentioned meetings.

ARTICLE TEN: THE OFFICES IN THE CHURCH

Section (1) The Church shall establish a variety of institutions for both the education and training of her servants and other revenue generating institutions for the sustainability of the church

Section (2) Before a man can be accepted in the office of the ministry, the church shall prepare him for the ministry by giving him the necessary training.

Section (3) The Council of elders of the congregation shall forward the name/s of the candidate/s aspiring to join the ministry to the parish council for consideration.

Section (4) The candidates shall sit for an interview which shall be set by the authority of the relevant institution. The successful candidates shall be admitted to the seminary for relevant training. The names of the successful candidates shall be kept at the deanery and at the diocese.

Section (5) After having been trained for the appropriate duration, the bishop shall send them to the relevant institutions or congregation, to take up internship under the supervision of an administrator or local pastor for the appropriate duration. The tasks and duties of a vicar shall include the following:

- (a) To preach the word of God,
- (b) To instruct children and adults,
- (c) To hold services of the Word,
- (d) To visit the sick, and; to continue to study the Word of God, the teachings of the church its regulations and other tasks as may be assigned by the supervising pastor.
- (e) A vicar is not allowed to administer the Holy Sacraments prior to his ordination;
- (f) After internship the Vicar will come to complete his studies and graduate, and shall be ready for ordination

Section (6)(a) A vicar may be admitted to the office of the ministry by the recommendation of a local congregation or parish. The Diocesan Council confirms this call after it has heard or seen a satisfactory testimony concerning his qualifications, behavior and work, submitted by the pastor under whose supervision he has placed during his time of vicar ate. A resolution of the Congregational/Parish Council shall also be attached.

(b) A vicar who has been admitted into the office of the ministry shall be entrusted with his office by being ordained by the bishop according to the regulations of the church; Where the bishop in question is incapacitated or where the office of the bishop falls vacant, and pastors must be ordained, the Assistant of the Bishop or a senior pastor may be delegated to perform the ordination.

ARTICLE ELEVEN: DEACONS, DEACONESS.

Section (1) deacons and deaconess

The ELCSS/S shall establish the office of deacons and deaconess /diaconal.

Section (2) ELCSS/S parishes shall employ trained deacons and deaconesses to carry out works of Christian mercy among men, women and children who are in need of such special care.

Section (3) the church council shall keep a roster of deacons and deaconess who have received such training as prescribed by the church and who have been received to this service in a rite of commissioning. This rite shall be performed by the bishop or his assistant or, in the absence of bishop a dean assigned to this duty by the assistant to the bishop, or in his absence by the senior pastor.

Section (4) every deacons and deaconess who is employed shall be given a precise job description in which his or her area of work, tasks and duties as well as rights are clearly defined.

Section (5) each diocese shall have a diaconal commission which consists of a dean, two deacons/ deaconess and two lay Christians. It is the duty of this commission to supervise the field of diaconia in the diocese, to support deacons and deaconesses in their day-today work, to channel external diaconal aid to the diocese in the best possible way and improve the training of deacons and deaconesses.

Section (6) the deacons and deaconesses are paid a monthly salary by the parish concern.

Section (7) the deacons and deaconesses shall submit annual reports of their activities to their parish pastor and to the diocesan diaconal commission.

ARTICLE TWELVE: AN EVANGELIST

Section (1) the ELCSS/S shall establish the office of the evangelist/ catechist

Section (2) an evangelist is a servant called by the congregation/ parish to assist the ordained clergy to the gospel to those who do not yet know the Lord Jesus Christ and to serve a congregation. The church trains him for the work of the church and calls him in to the office of evangelist through the congregational/ parish council. The catechist is entrusted with his office by being commissioned by the parish pastor. The catechist is not ordained.

Section (3) an evangelist shall be sent by the congregation/parish council to a certain place where the church wants to begins a new work or where it wants to proclaim the gospel to those who do not yet know the Lord Jesus Christ.

Section (4) an evangelist is sent by the church council to work in a certain congregation and his and tasks in the congregation shall be.

- a- To hold services for the congregation according to the order of the church
- b- To organize youth work, to instruct children, bible studies
- c- To visit the sick, afflicted and those who have fallen away
- d- To bury the dead
- e- To baptize in cases of emergency
- f- To proclaim the gospel to those who do not yet know the lord Jesus Christ

g- And he shall be assigned to do other tasks in addition to those listed above.

Section (5) where an evangelist works in a congregation, he shall be under the supervision of the parish pastor for all his work. Where he works by himself at a certain place where as yet there is no congregation. He shall be placed under the supervision of the dean or of another pastor, according to the decision of the church council.

Section (6) when holding services, the shall stand at the altar and in the pulpit and shall wear the catechist's robe.

Section (7) an evangelist shall be the chairman of the congregational council and of the congregational meeting. Where the parish priest is invited or make appointment to meet with the congregation the pastor shall chair the meeting of the congregational council.

Section (8) an evangelist shall be paid a stipend which shall be determined by the congregational council or by the parish council where the evangelist works in the parish.

ARTICLE THIRTEEN: THE CHURCH HELPER/ LAITY

Section (1) A church helper shall be called by the congregational/Parish council to do certain work of the church.

Section (2) the calling and placing of a church helper shall be done by a congregational/ parish council. When it is determined that the man selected has the gift of helping in the work of the congregation and that he/she knows the bible and the teachings of Luther's small catechism, and that his/her life is beyond reproach, he/she can be employed by the congregational/parish council.

Section (3) the church helper shall be paid a stipend as agreed between him/she and the congregational/parish council.

ARTICLE FOURTEEN: A PASTOR

Section (1) The Pastor is an ordained man and a church servant who has been called by God through the church to lead and shepherd a congregation/s by teaching and preaching the Word of God and by administering the Keys of Heaven and the Holy Sacraments. The call of the Church comes through a local congregation or parish. The Congregation shall present their candidate/s to the council of elders for approval.

Section (2) The ordained pastor shall be installed in the service of the congregation or parish by the Bishop or his Assistant or by a senior pastor who is assigned to this duty by the Bishop.

Section (3) A pastor may be sent by the Church Council or Diocesan Council to a particular area where the church wants to begin a new work or where it wants to proclaim the Gospel to those who do not yet know the Lord Jesus Christ. Particular attention must be paid to the well-being of such a pastor and his family.

Section (4) Evangelical Lutheran Church in South Sudan/Sudan shall avoid as much as possible separating pastors from their families when a pastor is on a mission to a new area of work. Assistance to such missionary pastors shall be channeled through the office of the diocesan secretary in corroboration with the dean of the deanery concerned and the pastor on mission.

Section (5) Requests for pastors from the congregations shall be addressed to the bishop of the diocese. The bishop of the diocese shall have the authority to allocate pastors in response to calls from congregations.

Section (6) The pastor may be transferred to a particular area of work by the Diocesan bishop after consultation with the said pastor in question.

Section (7) In-case the congregation where the pastor has been installed is a parish in itself, the pastor shall be the leader of the parish. If two or more pastors have been sent to the same parish, the senior pastor in terms of ordination shall be the pastor in-charge.

Section (8) The tasks and duties of a pastor shall include the following:

(a) To preach and teach the Word of God in the Old and New Testaments to the congregation in harmony with the Lutheran Confessions;

(b) Shall perform the functions of the Office of the Keys by receiving confessions of sins, forgiving sins, by retaining the sins of those who do not repent, by absolving sinners and by admonishing and exhorting members publicly and privately; and to see that the congregation lives according to the directions given by the Word of God;²

(c) Shall administer the sacraments as instituted by Jesus Christ; and shall proclaim the Gospel among those who do not yet know the Lord Jesus and the church, and to conduct activities such as confirmation, weddings, funerals and other congregational activities according to the order and regulations of the ELCS/SS church;

(d) shall instruct candidates for baptism and confirmation; and shall visit the sick, the depressed, the afflicted, the backsliders and those who have left the faith;

(e) shall enter into the congregational records everything that must be entered, such as: the names of the baptized, the confirmed, the married, the communicants, those who have died and those who have left the congregation by moving away or for any other reason; and shall keep the record of the congregation members and to give an annual report to the dean of the deanery

;

(f) Shall ensure that all required contributions and special collections are collected and paid into the appropriate accounts according to the regulations of the church;

(g)(i) shall be the chairman of the parish council and all the parish meeting; and to be a member of the Diocesan Synod and also of the General Synod;

(ii) Without prejudice the provision of paragraph (g)(i) above, the pastor may delegate chairmanship of any meeting of the parish to another person where necessary

(h) The pastor shall continue to study the Word of God and the teachings of the church; and shall wear the prescribed pastor's attire when holding congregational services and while performing the official duties of the church.

(i) An ordained pastor is forbidden to get extra employment outside the church. Therefore, any man aspiring for pastoral work should freely accept this sub-section.

Section (9) A pastor shall be entitled to the following: -

- (a) The pastor shall be paid monthly salaries by his congregation.
- (b) Salary and other emoluments of the pastor shall be decided by the diocesan council
- (c) A pastor shall be entitled to standard accommodation constructed by the parish concern.
- (d) The Parish shall provide a means of transport for the pastor in-charge of their parish.
- (e) The proposed area for a parish shall construct the pastor's office as one of the requirements to qualify for a parish.
- (f) A pastor shall be entitled to retirement package from his diocese.

ARTICLE FIFTEEN: THE OFFICE OF THE DEAN

Section (1) A dean is a senior pastor who have served the church for at-least five (5) years. The office of a dean is assumed through promotion depending on good performance and the up keeping of the Christian moral standard.

Section (2)(a) Promotion to the office of a dean shall be effected through a promotion Committee composed of the advisers, Senior pastors and any other elders whom the bishop may deem competent to be in the committee.

(b) The promotion Committee shall review the record of such senior pastors and their performance and recommend to the bishop for the promotion of such a pastor/s to the office of a dean.

Section (3) The dean shall be the pastor in-charge of the parish which heads the deanery.

Section (4) The duties and tasks of a dean shall include the following:

- (a) The dean may be nominated for the position of an assistant bishop or a bishop.
- (b) Shall oversee the parishes under his deanery and carryout therein all the administrative and pastoral obligation of a spiritual leader.
- (c) Shall automatically qualify to be a member of the General convention, The diocesan synod and the diocesan executive council.
- (d) Shall be the chairman of the deanery meetings.
- (e) Shall report directly to the bishop on matters within his deanery.
- (f) The dean whose territory fall in the area where the Cathedral is located shall be the pastor in-charge of the Cathedral under the bishop.

Section (5) Entitlement of a dean

- (a) Accommodation
- (b) Means of transport
- (c) Medical allowance
- (d) School fees for two children under the age of 18
- (e)** Retirement package
- (f) House helper to paid by the church

ARTICLE SIXTEEN: THE OFFICE OF THE BISHOP

Section (1)(a) A bishop is a pastor/shepherd who is called by God through the church to lead a diocese together with the Diocesan Council.

(b) The candidate for the office of a bishop shall be a man of upright spirit who is respected in his community and should possess at least a diploma or a degree in the relevant field from a recognized Institution. Should be one who have served the ELCSS/S as a Pastor for at least Five (5) years or more and attain the age of at-least 40 years or more.

(c) The candidate for the post of a bishop should have a clean record of service, a man of one wife and above reproach.

Section (2) Nomination, Election and consecration of a bishop

(a) The names of the pastors qualified by **section One in Article (13)** above shall be presented to the General Convention for nomination.

(b) A pastor nominated by a member of the General Convention for the post of a bishop must be seconded by at-least two other members of the General Convention to qualify as a candidate.

(c) The three nominees shall be prayed for by the bishop/s present and the clergy, thereafter give them a forum to speak to the convention members and then the contest in the election for the position of a bishop shall commences.

Section (3) Election of a bishop

(a) The election shall be conducted by an electoral commission which shall be appointed by the organizing Committee of General Convention of the Evangelical Lutheran Church in South Sudan/Sudan.

(b) The voting shall be conducted by eligible voters consisting of the representatives chosen from every deaneries of the ELCSS/S

(d) the candidate who receives fifty plus one per-cent or more (50+1) of the votes shall be declared the winner and bishop elect.

(e)The bishop elect shall be consecrated by the presiding bishop and other bishops from ELCs present. The bishop elect shall continue to lead his diocese and serve the Church until 10 years; unless he commits any of the offences in **Article 14 section (2)** below. Where there are no more than one bishop, the senior pastors shall join the bishop present in the consecration of the bishop.

(f) After his election, the Bishop shall be installed in office by the Presiding bishop, the outgoing Bishop or the Dean who is oldest in age and by ordination or in a situation where there is no bishop, by an invited bishop from other ELCSS/S.

Section (4) Duties and tasks of the Bishop:

(a) The Bishop shall be the spiritual leader of his diocese and the servant of the whole church. He has the authority to proclaim the Word of God and administer the

Sacraments in the congregations of the whole of his diocese when he has made arrangements with the pastors of the congregations concerned.

- (b) Diocesan Bishops shall be the chairmen of the Diocesan Pastors' Conventions, the diocesan Synod, the diocesan Council and oversees all the higher committees of the diocese.
- (c) The Bishop shall have authority to write and send pastoral letters to all servants of the church working under his diocese and to all congregations' letters of advice, comfort, encouragement, admonition and reproof about the spiritual life of the church, on decisions made on matters pertaining the church, regulations, financial obligations of the church and such other matters as may deem necessary.
- (d) Together with the Church Council/Diocesan Council, the bishop shall guard the spiritual life of the church, being watchful that the Word of God is purely presented in the teaching and preaching of the church and that the Sacraments are administered in the whole diocese under his jurisdiction according to their institution. He shall see to it that all the decisions and ordinances made by the relevant decision-making bodies are carried out accordingly.
- (e) It shall be the duty of the Bishop to defend and protect the Constitution and the by-laws of the ELCSS/S, and see to it that all regulations of the Church, and the resolutions of the General Synod are implemented in the congregations of his diocese.
- (f) The Bishop shall ordain the pastors and install the Parish Priests in their offices. He shall summon those who will be ordained into the office of the ministry to a preparatory course; he shall summon the pastors identified by himself during his pastoral visits for refresher courses.
- (g) The bishop shall visit parishes, congregations; church organizations and any other institutions in his diocese following a laid out program that has been officially disseminated.
- (h) The Bishop shall have authority to officially open buildings of any congregation of the church under his diocese and any other church related institutions. In a state of emergency, or in a situation where a serious offence has occurred in a particular Congregation which calls for a halt to spiritual activities for purposes of investigation, the Bishop may temporarily close the church's activities of such Congregation and shall immediately notify the Diocesan Council for immediate action to ratify the situation.

Section (5). The Diocesan Bishop shall sign all Resolutions of the Diocesan Council and the Diocesan Synod and all official letters which are written in the name of the Diocese.

Section (6) The Diocesan Bishop may request the Diocesan Council, the Diocesan Synod, and all organizations of the Diocese to rescinds certain issues in the agendas which may not warrant immediate decision until the next meeting if he sees that such decision may

negatively affect the teaching of the Word of God and needs careful research and examination before a final decision is made

ARTICLE SEVENTEEN: THE ENTITLEMENTS OF A BISHOP

Section (1)(a) The bishop shall be paid monthly salaries by his diocese.

- (b) The salary and other emoluments of the bishop shall be decided by the General Convention of the Church
- (c) The bishop shall be entitled to standard accommodation by the church/Diocese.
- (d) The diocese shall provide a means transport and a driver for the bishop.
- (e) The proposed area for a diocese shall construct the bishop's office as one of the requirements to qualify for a diocese.
- (f) School fees for three (3) of his children under the age of 18
- (g) Shall be entitled to three house helpers to be paid by the church/diocese.
- (h) Shall be entitled to retirement packages

Section (2). The Bishop may not relinquish his office for any reasons unless under the following conditions:

- (1) Insanity or physical incapacity based on medical report
- (2) heresy
- (3) immorality
- (4) drug addict
- (5) embezzlement of funds
- (6) misuse of Church properties and
- (7) Expiration of term of office or retirement as a result of old age
- (8) Acceptance of his resignation by the General Assembly
- (9) Death, and
- (10) Any other unlawful acts as the church may deem it necessary.

ARTICLE EIGHTEEN: THE OFFICE OF ASSISTANCE BISHOP

Section (1) The assistant bishop shall be elected by the diocesan synod.

Section (2) The assistant bishop shall be nominated from among the deans of the diocese and the procedure applied in the election of a bishop in **Article thirteen (13) section (1) paragraph (c) to (g)** above shall be applicable.

Section (3) The bishop of the diocese may delegate or assign some of his duties to the assistant bishop.

Section (4) The assistant bishop shall act as the bishop of the diocese when the bishop is away for other duties or on leave.

Section (5) The assistant bishop shall be entitled for acting allowance which shall be decided by the diocesan Council. The diocese shall provide a means of transport and accommodation to the assistant bishop when he is acting in the office of the bishop; provide that the said assistance bishop does not have a residence in a nearby distance to the diocesan head office

Section (6) In a situation where the Bishop dies, or if he leaves office for any reason, the Assistant to the Bishop shall take office until an election is held.

Section (7) After the declaration of a vacant position of a bishop, the assistant bishop shall act for six (6) months and the diocesan synod shall be conveyed to elect a bishop to fill the vacant position in the said diocese.

to the bishop.

CHAPTER THREE

THE ARCH-DIOCESE

ARTICLE NINETEEN: THE PRESIDING BISHOP

Section (1) There shall be a presiding bishop of the Evangelical Lutheran Church in South Sudan/ Sudan

Section (2) Where there is more than one bishop in an area with two or more dioceses in the ELCSS/S, one of the bishops shall be elected by the General Convention to be a Presiding Bishop who shall administer the church together with the Church Council.

Section (3) The Presiding Bishop shall be elected for a period of ten (10) years without next.

Section (4) The presiding bishop shall be elected by the house of bishops; where there are only two bishops, the deans and the chosen elders shall be members of the electoral board for the election of the presiding bishop.

Section (5) All the evangelical Lutheran dioceses in South Sudan and Sudan shall propose at least three names to the house of bishops for election of the presiding bishop.

Section (6)(a) The presiding bishop shall be elected through a secret ballot vote, the candidate who gets fifty plus one or more shall be declared the presiding bishop.

(b) Seniority in ordination and consecration shall be considered as an advantage for nomination for the post.

(c) Where there are no other contestants for the post of the Presiding bishop, the senior bishop shall be confirmed by the General convention as bishop elect un opposed for the post.

Section (6)(a) Where the result of the vote is fifty% for both candidates, the chairman of the electoral commission shall write 'Yes' and 'No' on two pieces of paper and fold them and ask the two competing candidates to pick and open. The candidate who picks "Yes" shall be declared the presiding bishop

(b)The presiding bishop shall be the bishop of the Arch-diocese of the evangelical Lutheran Church in South Sudan/ Sudan.

Section (7) The presiding bishop when elected shall be enthroned by an invited Arch-bishop from other Evangelical Lutheran Churches and the senior bishop present.

Section (8) The term of office for a presiding bishop shall be (10) years term without re-election.

Section (9)(a) The (Presiding) Bishop shall be the chairman of the General Convention, General Synod, the Church Council and the General Pastors' Convention. He may be invited to attend the meetings of the Diocesan Synods or other diocesan meetings.

ARTICLE TWENTY: THE DUTIES OF THE PRESIDING BISHOP.

Section (1) The presiding bishop shall be the head of the Evangelical Lutheran Church in South Sudan/ Sudan.

Section (2) The presiding bishop shall consecrate new bishops together with other bishops present.

Section (3) The presiding bishop shall be the chairman of the house of bishops and the General Convention.

Section (4) The presiding bishop shall be the link between the ELCSS/S and the other churches, including the international communities.

Section (5) The presiding bishop shall be the signatory to all the official communications and projects of the Arch-diocese of the ELCSS/S.

Section (6) The presiding bishop shall be the chancellor of the University or higher academic institutions of the ELCSS/S, and shall have the authority to appoint the vice chancellor(s)

Section (7) The Presiding bishop shall be the shepherd of both the bishops and pastors under his Arch-diocese.

ARTICLE TWENTYONE: ENTITLEMENTS OF THE PRESIDING BISHOP

Section (1). The presiding bishop shall be paid salaries by the head office of the Arch-diocese of the ELCSS/S.

Section (2) The salaries and other emoluments of the presiding bishop shall be decided by the General convention.

Section (3) The Church shall provide accommodation and a means of transport for the presiding bishop.

Section (4) The residence of the presiding bishop shall be entitled to care takers whose number shall be decided by the General convention and the care takers working at the residence of the presiding bishop shall be paid by the Church.(6)

Section (5) The presiding bishop shall be entitled to medical allowances including his wife and only three of his children under the age of eighteen (18).

Section (6) The medical allowance shall not be payable as part of the salary to the beneficiaries, but to be kept by the church for the purpose.

Section (7) The presiding bishop shall be entitled for a retirement package as a token of appreciation which may include the following:

- (1) a house
- (2) Means of transport and some cash which shall be decided by the General Convention.

Section (8)(a) Where the presiding bishop commits any of the offences in Article (14) section (2) paragraph one (1). To ten (10) above or any other offences which calls for termination of his service as a presiding bishop, shall forfeit all the retirement packages thereof, except Paragraph (1) and (9) .

(b)In case of the death of a presiding bishop before the end of his term of office, his family shall continue to live in the church house for the next three months and they will continue to receive the salaries of the late presiding bishop after which they shall be asked to leave the church house and the payment of salaries of the late shall cease unless a new consideration is decided by the Church to the contrary.

(c)Where the presiding bishop dies in service, his next in kin shall claim his retirement packages

(d)The Provision in Section (8)(b) above shall also be applicable to the bishop of a diocese.

ARTICLE TWENTYTWO: SECRETARY GENERAL OF THE ARCH-DIOCESE OF THE ELCSS/S.

Section (1) There shall be the **Secretary General for the Arch-diocese of the Evangelical Lutheran Church in South Sudan/ Sudan**

Section (2) The Secretary General shall be elected by the General Convention or the diocesan synod in case of diocesan secretary. Interested candidates shall submit applications including their C.Vs. and other relevant documents to the office of the bishop.

Section (3) The bishop shall form a committee to do the short-listing according to the conditions set in the advertisement, and those short-listed shall contest during the General Convention or the diocesan synod and the winner of the election shall be declared the Secretary General or the diocesan Secretary.

Section (4) The Secretary General for the arch-diocese shall be at-least forty (40) years of age and above; and should have served for a minimum of five (5) years in the ELCSS/S; while the diocesan Secretary shall be at-least thirty five (35) to forty five years of age, and should have served in the ELCSS/S for at-least three (3) years.

Section (5) The post of the Secretary General shall be reserved for only ordained ministers with the required skills of a secretary.

ARTICLE TWENTYTHREE: THE FUNCTIONS OF THE SECRETARY GENERAL.

Section (1) The Secretary General for the Arch-diocese shall be the Secretary at all the general Conventions, and the diocesan Secretary shall be the secretary for the synod and all the diocesan meetings.

Section (2) The diocese secretary shall be the Chief Executive officer of all the Church administrative staff of the diocese.

Section (3) The Secretary General shall carry out the following functions:

- (a) The secretary General shall maintain relationship with Church personnel, church organizations; , and coordinate the Church activities as shall be assigned by the presiding Bishop.
- (b) Shall supervise the implementation of the decisions taken in Church meetings
- (c) Shall keep the day to day running of the office and supervise the usage of the Church properties by the staff.
- (d) Shall keep the seal of the Church and be responsible for the Church correspondences both internal and external.
- (e) Shall keep all Church documents, minutes, reports and resolutions or recommendations from various meetings.
- (c) To control the use of Church funds in collaboration with the Church Treasurer and the Bishop and shall be one of the signatories to Church accounts.
- (d) To represent the Church and maintain relationship with offices of the government, NGOs and other Church related agencies.
- (e) To advise the Bishop, the Annual General Convention, the Church Council and Executive Council on matters related to Church administration.
- (f) The Secretary General shall be answerable to the presiding Bishop and the General Convention; while the diocesan secretary shall be answerable to the bishop of the diocese and the synod.
- (g) The term of office for the General secretary shall be five years (5) subject to re-election for one more term of office. This provision is also applicable to the diocesan secretary.

- (h) There shall be a deputy Secretary General who shall deputize the Secretary General in all the assignments delegated to him. This provision is applicable to the diocesan secretary as well

Section Four: The entitlements of the Secretary General

Which include:-

- (a) Salary by the head office of the Arch-diocese
- (b) The Secretary General shall be entitled to accommodation from the Church;
- (c) Means of transport;
- (d) Medical allowance
- (e) School fees for two of his children under the age of 18
- (f) Two house helper; And
- (g) Retirement package to be determined by the General Convention.

ARTICLE TWENTYFOUR: THE DEPUTY GENERAL SECRETARY

Section (2) The deputy Secretary General shall be elected by the General Convention or the diocesan synod in case of diocesan secretary. Interested candidates shall submit applications including their C.Vs, ordination Certificate, CLHIM certificate, secretariat certificate and other relevant documents to the office bishop.

Section (3) The bishop shall form a committee to do the short-listing according to the conditions set in the advertisement, and those short-listed shall contest during the General Convention or the diocesan synod and the winner of the election shall be declared the deputy Secretary General or the diocesan Secretary.

Section (4) The deputy Secretary General for the arch-diocese shall be at-least thirty five (35) years to forty years of age, and should have served in the ELCSS/S for at-least three (3) years.

Section (5) The post of the deputy Secretary General shall be reserved for only ordained ministers with the required skills of a secretariat.

ARTICLE TWENTYFIVE: THE FUNCTIONS OF THE DEPUTY SECRETARY GENERAL.

Section (1) The deputy Secretary General for the Arch-diocese shall be the deputy Secretary at all the general Conventions, and the diocesan Secretary shall be the secretary for the synod and all the diocesan meetings.

Section (2) The diocese secretary shall be the Chief Executive officer of all the Church administrative staff of the diocese.

Section (3) The deputy Secretary General shall carry out the following functions:

- (a) The deputy secretary General shall maintain relationship with general secretary personnel, church organisations; , and coordinate the Church activities as shall be assigned by the secretary general.
- (b) Shall supervise the implementation of the decisions taken in Church meetings
- (c) Shall keep the day to day running of the office and supervise the usage of the Church properties by the staff.
correspondences both internal and external.
- (d) Shall keep all Church documents, minutes, reports and resolutions or recommendations from various meetings.
- (e) To control the use of Church funds in collaboration with the Church Treasurer and the general secretary and shall be one of the signatories to Church accounts.
- (f) To represent the Church and maintain relationship with offices of the government, NGOs and other Church related agencies as signed by the secretary general.
- (g) To advise the secretary general, the Church Council and Executive Council on matters related to Church administrations.
- (h) The deputy Secretary General shall be answerable to the secretary general and the General Convention; while the diocesan secretary shall be answerable to the bishop of the diocese and the synod.
- (i) The term of office for the deputy General secretary shall be five years (5) subject to re-election for one more term of office. This provision is also applicable to the diocesan secretary.
- (j) There shall be a deputy Secretary General who shall deputize the Secretary General in all the assignments delegated to him. This provision is applicable to the diocesan secretary as well
- (k) when the office of general secretary fall vacant the deputy secretary general will direct take the office of secretary general and wait for general convention.

Section Four: The entitlements of the deputy Secretary General

Which include: -

- (h) Salary by the head office of the Arch-Diocese
- (i) The deputy Secretary General shall be entitled to accommodation from the Church;
- (j) Means of transport;
- (k) Medical allowance
- (l) School fees for two of his children under the age of 18
- (m) one house helper; And

ARTICLE TWENTYSIX: FINANCE OF THE ARCH-DIOCESE

Section (1) The financial year of the ELCSS/S shall commence as from 1st January of each year and end on December 30th of the same year.

Section (2)(a) The ELCSS/S shall have an account in a bank for the custody of it's finances.

(b) At-least three persons shall be signatories to the account of the Church.

(a) In the absence of one signatory, two signatories may be accepted to draw money from the church account.

(b) The signatories to the church account shall be decided by the General convention.

ARTICLE TWENTYSEVEN: THE TREASURER OF THE ARCH-DIOCESE

Section (1) There shall be the treasurer for the Arch-diocese of the ELCSS/S.

Section (2) The treasurer of the Arch-diocese of the ELCSS/S shall be employed in accordance with the conditions and requirements which shall be set by the church.

Section (3) Duties/functions of the treasurer of ELCSS/S Arch-diocese shall include the following:

- a. The treasurer shall be the custodian of all the funds of the ELCSS/S.
- b. (b) The treasurer shall be the chair-person of the Arch-diocese financial committee.
- c. (c) Be one of the signatories to all the financial transaction of the Arch-diocese of the ELCSS/S
- d. Shall be the chief implementer of the Church financial policies
- e. Shall keep all the financial records of the Arch-diocese of the ELCSS/S
- f. Shall receive all the funds of the Arch-diocese and deposit them to the Church account.
- g. Shall issue receipts for all monies received accordingly.
- h. Shall be responsible for preparing the Arch-diocese quarterly & annual financial reports and present it at the General Convention meeting.
- i. Shall lay strategies for fund raising for the Arch-diocese of the ELCSS/S.
- j. Shall avail the financial records for auditors when requested.
- k. Shall prepare together with the planning committee the annual budget of the Arch-diocese.
- l. The provisions in this Article shall also be applicable to the diocese.

ARTICLE TWENTYEIGHT: THE FINANCIAL COMMITTEE OF THE ELCSS/S

Section (1) There shall be a financial Committee of the Arch-diocese of the ELCSS/S.

Section (2) The financial Committee shall compose of five members.

Section (3) The financial committee shall be nominated during the General Convention and appointed by the presiding bishop to run the affairs of the church funds.

Section (4) The financial Committee shall be entitled for only the following:

- a. Sitting allowance
- b. traveling allowance for only those who may be coming from further distances.
- c. Accommodation where necessary.

Section (5) The functions of the financial Committee

- (a) Shall advise the treasurer and the church on financial issues.
- (b) Shall be responsible for planning fund raising for the church
- (c) Shall advise the church on annual budget preparation.
- (d) Shall decide on donations allocated to the Church.
- (e) Shall advise the planning committee on salary structure preparation and other financial matters.
- (f) The office tenure of the financial committee shall be five years subject to re-appointment for one more term.
- (g) The provision in this Article shall also be applicable to the diocese.

Section (6) The Resources of the ELCSS/S shall include the following:

- (a) Local Contribution of offertory from the believers .
- (b) The regular sunday contributions; the baptism, Confirmation, and marriage offerings etc.
- (c) One tenth from believers both in cash and in kind
- (d) Donation from well wishers.
- (e) Church revenue generating projects.
- (f) Support from sister Lutheran Churches.
- (g) Investments and
- (g) Any other lawful channels of generating income.

ARTICLE TWENTY NINE: THE CHANCELLOR OF THE EVANGELICAL LUTHERAN CHURCH IN SOUTH SUDAN AND SUDAN.

Section (1) There shall be a chancellor of the Evangelical Lutheran Church in Sudan & in The Republic of South Sudan.

Section (2) The chancellor of the Evangelical Lutheran Church shall be appointed by the diocesan authority or the authority of the Arch-diocese of the ELCSS/S. The nature of employment shall be determined by the relevant authority.

Section (3) The Chancellor shall defend the church before the courts of law and in all legal matters in which the church is involved.

Section (4) The Chancellor shall advise the church on all legal matters relating to the church work and church personnel especially during the various church meetings.

Section (5) The Chancellor shall draft all the legal documents, Contracts, by-laws and any other legal requirements as may be needed by the church.

Section (6) The emoluments of the chancellor shall be decided by the general Convention.

CHAPTER FOUR

ARTICLE THIRTY: THE CHURCH COUNCIL

Section (1) The Church Council shall be the second supreme governing authority of the ELCSS/S after the General Convention. It shall speak and act on behalf of the whole of the ELCSS/S.

Section (2) The Church Council shall compose of representatives from every categories of group in the ELCSS/S elected according to this Constitution. The number of delegates of each diocese to the Church Council shall be determined by the Church Council from time to time.

Section (3) The Church Council shall be convened a year before the general Convention. Issues which has been discussed in the Church Council and could not be resolved shall be passed to the General Convention.

Section (4) In all its activities the Church Council shall be bound by the Holy Scriptures and the Lutheran Confessions. Furthermore, the Constitution and the regulations of the Church, as well as decisions of the General Synod are equally binding upon the Church Council.

Section (5) All issues relating to, doctrinal negotiations with the aim of establishing church fellowship or relationship with other churches, shall be discussed by the pastors' Convention before passing it to the diocesan Synod and on to the General Convention.

Section (6) Written declarations of the ELCSS/S shall be signed and sealed by the presiding Bishop or by his assistant.

ARTICLE THIRTYONE: THE GENERAL PASTORS CONVENTION

Section (1) There shall be the General Pastors Convention of the ELCSS/S.

Section (2) The General Pastors' Convention shall draw participants from all the ordained pastors in South Sudan and in Sudan including the retired pastors and shall be chaired by the presiding bishop of the church unless the presiding bishop delegates the chair to a senior bishop.

Section (3) The duties of the General Pastors' Convention:

(a) Shall discuss and recommend remedies to all issues relating to church doctrines, issues to do with worship in the ELCSS/S, traditions of the ELCSS/S and church regulations.

(b) Shall deliberate on issues pertaining to ecumenical relationship with other churches, and pertaining the nature of organization which may be accepted to operate with in the doctrinal negotiations with the aim of establishing church fellowship with other churches or relations with ecumenical organizations.

(c) All resolutions concerning the Church, passed by the General Pastors' Convention, shall be submitted to the Church Council for amendments and final approval.

ARTICLE THIRTYTWO: DIOCESAN PASTORS' CONVENTION

Section (1) The Diocesan Pastors' Convention shall be convened and chaired by the Bishop or his Assistant. Vicars, catechists/Evangelists and helpers may be invited to participate in as observers. The diocesan pastor's Convention shall be convened at a time decided upon by the Bishop or when requested by the majority of the pastors of the Diocese.

Section (2) The Diocesan Pastors' Convention shall discuss and make resolutions on matters of doctrine, church worship, development catechism where need arises, deliberations moral standards of church workers, furthers the fraternal ties among pastors of the Diocese.

Section (3) Shall deliberate on theological issues, congregational and parochial education and other matters of mutual interest concerning the Diocese.

ARTICLE THREE: THE CHURCH COMMISSIONS.

Section (1) The church shall constitute Commissions for special tasks such as the mission, diaconia, youth work, social ethics etc.

Section (2)(a) The Church, commissions shall be elected by the Church Council or the diocesan synod in case of the diocese. They shall be responsible to the Church Council or the diocesan synod in case of the diocese.

(b) The church Commissions shall be appointed by the Presiding Bishop or by the diocese.

Section (3). The ELCSS/S shall constitute CHURCH ASSOCIATIONS AND LEAGUES to finance the evangelization and other tasks in the congregation and the Church.

Section (4) The ELCSS/S shall regulate the activities of the church Associations and leagues to be in full harmony with the ELCSS/S Constitution.

Section (5) The church Associations, Organizations and leagues shall be accountable to the church Council through the different levels.

CHAPTER FIVE

ARTICLE THIRTY-FOUR: PROPRIETARY RIGHTS

Section (1)(a) Assets/properties of the church

- (c) **The** diocesan bishop/bishops and some lay experts of the ELCSS/S shall constitute board of the Church trustees.
- (d) **All property** of the ELCSS/S shall be vested in the ELCSS/S trustees, who shall be empowered to hold them upon any trust which is approved and accepted by the General Convention or the diocesan synod.
- (e) **All** business of the ELCSS/S trustees shall be executed through a body to be known as Church Commissioners.
- (f) **The** Church Commissioners shall consist of persons with expert knowledge in business management and investment and shall advise the board of Trustees in the development and administration of any Land or property held by them.
- (g) **Membership** of the church Commissioners shall include two principle commissioners, one of whom shall be a bishop, and one lay expert who shall be determined from time to time by the General Convention or Synod.

Section (2) The duties of the Church Commissioners shall be;

- (a) To advise and assist the ELCSS/S Trustees on all matters relating to development, administration and management of all the lands vested in the Trustees by grant, purchase agreement and any lawful transaction whatsoever.
- (b) To execute and enforce the decisions and policies of the Trustees relating to the administration, management and development of all land vested in the Trustees.
- (c) To look after and maintain all property, premises, buildings and all the lands vested in the Trustees.
- (d) To draw up plans and programmes for the proper and effective commercial development of the land and property vested in the Trustees.
- (e) To collect and receive all payment due to the Trustees on behalf of the Trustees.
- (f) To ensure that all Trust and permanent funds and securities are deposited with the banks or with agencies approved in writing by the board of Trustees
- (g) To keep detailed record of all funds, revenue and expenditures.
- (h) To ensure that account books are maintained and are annually audited and a certificate of the audit issued.

Section (3) All the assets of the church, both fixed, chattels and any other moveable assets shall be owned and administered by the church through the relevant church institutions at different levels of the church hierarchy.

Section (4) No church officer shall exclusively/single handedly decide to use, sell, change or substitute any church assets/properties on his/her own unless is authorized by the relevant authority of the church.

Section (5) Notwithstanding the provision in section (3) above, the church officer in charge or any other church officers may decide to move any church asset, moveable properties to a safer location for its security in time of emergency.

Section (6) Plots and buildings may only be used for purposes which are in agreement with the aims and principles of the Church and the congregation. All eventual disputes shall be decided by the Capital Chapter.

Section (6) The Church in its different administrative levels may acquire properties, whether movable or immovable, by way of purchase, lease, donation, testamentary disposition, exchange or any other rightful manner.

Section (7) The Church Council at different levels shall decide upon all Church projects.

Section (8) The Church shall have right to make deals on its property, whether movable or immovable, by way of sale, lease, exchange or partition through the relevant church bodies.

ARTICLE THIRTYFIVE: THE TREASURIES OF THE CHURCH ASSOCIATIONS, LEAGUES AND INSTITUTIONS

Section (1) All Church associations, leagues and institutions of the ELCSS/S shall have their own accounts.

Section (2) The annual financial reports shall be concluded by the end of February of the following year. The fiscal year is the calendar year (1st January until 31st December).

Section (3) All other regulations which may become necessary shall be compiled within the framework of this constitution.

ARTICLE THIRTYSIX: AMENDMENT OF THE CONSTITUTION

Section (1) The General Convention shall have the authority to amend and adopt this Constitution.

Section (2) The amendment of the Constitution shall include inserting new provision, repealing of any provision or changing/altering the statement of any provision in the Constitution.

ARTICLE THIRTYSEVEN: DISCIPLINE OF CHURCH SERVANTS

Section one: Evangelical Lutheran Church of South Sudan/Sudan is an
Independent faith based organization structured with the capacity
to handle its
Affairs including issues of discipline of its members.

Section two: A disciplinary committee shall be constituted at different levels of the Church hierarchy to investigate and recommend or take the appropriate Decisions on issues pertaining discipline of Church servants.

Section three: Any church servant feeling that he/she is aggrieved shall submit his or her Grievance/complaints to the appropriate level of administration, first to the

Authority aggrieving the concerned person. Where the concerned authority Fails to resolve the issue, that authority shall forward the same to the next Higher level of authority until the issue shall reach the last highest authority of the church.

Section four: Where the concerned authority fails to solve the grievance raised and also Refused to pass the same to the next level of authority, the aggrieved party Shall have the right to appeal through the same authority to the next level Of authority until the aggrieved gets the satisfactory expected remedy to The issue at hand.

Section five: Only the last authority of the church shall have the authority and prerogative to pass issues of criminal nature to the appropriate court of law, together with copies of the church's findings and recommendations.

Section (6): No church servant shall arbitrarily sue the church minister, or the church Administration of all levels to any court of Law without following the procedure set in this Constitution.

Section (7): (a) Where the issue raised involves the top authority of the church, e.g. The Presiding bishop, the aggrieved person shall channel the grievances through the second top authority, who will constitute a committee to look through the nature of the grievance and decide whether they can handle this with the top authority concern or invite a mediator.

(b) Where the Committee constituted is unable to handle the issue at hand, the committee shall be empowered to invite a neutral presiding bishop/Arch-bishop from another ELCs to come and chair the mediation of the issue at hand.

ARTICLE THIRTYEIGHT: MEASURES FOR MONITORING DISCIPLINARY ORDERS

Section (1) Where a church servant in the ordained ministry is found guilty of an offence which warrant disciplinary measures, the following measures shall be followed: -

- (a) A focal person shall be assigned to follow up and monitor the execution of the disciplinary order and report to the relevant authority.
- (b) A duration for execution of the disciplinary order shall be put in place, after which the committee concern shall sit to take the appropriate decision over the issue at hand.
- (c) Where the Church servant under discipline was using any Church asset, the committee shall assess the weight of the offence and decide whether or not the concerned Church servant under discipline may keep using the asset during the duration of discipline or should be retrieved.
- (d) Where the stand of the concerned committee is for retrieving the asset/s, the committee shall write an official notice requesting the church servant under discipline to submit the assets of concern to the relevant authority.
- (e) Where the concerned church servant under discipline objects to returning the asset/s in question, the church shall refer the case to the relevant Court of Law for the appropriate legal remedies.

This constitution has been adopted as the constitution of Evangelical Lutheran church in South Sudan and Sudan by the General Convention of the church held in Juba the capital city of South Sudan on this..... day ofin the year 2019.

Signed.....

His lordship the Rt, Rev, Bishop
Wilson Noah Rule
Bishop of ELCSS/S

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