

NPO no: Pending Farm J92. Marble Hall. 0450 Fotonet Suite 154. Privaatsak X8. Lynn East. 0039

> Tel No: +27 (0)12 819 1121 Fax No: +27 (0)86 249 7429 Email: anne@katlego.co.za

CONSTITUTION

a. NAME

a.a) The organisation hereby constituted will be called Lesedi Day Care.

a.b) Its shortened name will be LDC (hereinafter referred to as the organisation).

b. OBJECTIVES

b.a) The Organisation's main objective is to provide quality primary schooling to children between the ages of 1 to 5 years old, adequately preparing them for grade R.

b.b) The Organisation's ancillary objective is to network with all roll players to ensure that children continue their schooling career.

c. INCOME AND PROPERTY

c.a) The Organisation will keep a record of everything it owns.

c.b) The Organisation may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the Organisation. The payment must be a reasonable amount for the work that has been done.

c.c) A staff-member of the Organisation can only get money back from the Organisation for

expenses that she or he has paid for or on behalf of the Organisation.

c.d) Staff-members or office bearers of the Organisation do not have rights over things that belong to the Organisation.

d. BODY CORPORATE INDEPENDANCE

The organisation shall exist in its own right, separately from its members.

e. BODY CORPORATE CONTINUITY

- e.a) Continue to exist even when its membership changes and there are different office bearers.
- e.b) Be able to own property and other possessions.
- e.c) Be able to sue and be sued in its own name.

f. RIGHTS OF OFFICE-BEARERS

Staff-members or office-bearers of the Organisation do not have rights over things that belong to the Organisation.

g. POWERS OF THE ORGANISATION

The management committee may take on the power and authority that it believes it needs to be able to achieve the objectives that are stated in point number b of this constitution. Its activities must abide by the law.

g.a) The management committee has the power and authority to raise funds or to invite and

receive contributions.

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Odrine De Form



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g.b) The management committee does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.

g.c) The management committee has the right to make by-laws for proper management, including procedure for application, approval and termination of membership.

g.d) The Organisation will decide on the powers and functions of office bearers.

h. STRUCTURES AND MECHANISMS FOR GOVERNANCE

h.a) The treasurer's duty is to audit and check on the finances of the Organisation. The teacher will control the day to day expenses of the Organisation with regards to food procurement. Any other expenses are controlled by the treasurer.

h.b) The treasurer must keep proper records of all finances.

h.c) If the Organisation has funds that can be invested, the funds may only be invested with registered financial institutions. These institutions are listed in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984. Or the Organisation can get securities that are listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985. The Organisation can go to different banks to seek advice on the best way to look after its funds.

h.d) The treasurer must draw up financial statements within six months of its financial year which include a statement of income and expenditure and a balance sheet. Furthermore, the treasurer must arrange with an accounting officer to compile a written report within two months after drawing up its financial statements confirming that the financial statements are consistent with accounting records; the accounting policies are appropriate and applied, and that the Organisation has complied with eh financial reporting requirements of the Act (Section 17(2)).

h.e) The treasurer will submit to the Directorate a narrative report in the prescribed form together with its financial statements and accounting officer's report (Section 18 (1)(a)) within nine months of its financial year.

h.f) The treasurer will submit to the Directorate the contact details of its office bearers, even if they were reappointed within one month of their appointment; the NPO's physical address for service of documents and notice of any change iof address one month before it takes effect, any other prescribed/information reasonably required by the Directorate for the purposes of ascertaining whether the NPO is complying with the material provisions of its constitution and the Act. (Section 18(1)(b-e)).

h.g) Management committee will manage the organisation. The management will be made up of not less than 3 members. They are the office-bearers of the organisation.

i. MEETINGS AND PROCEDURES FOR THE DIRECTORS MEETINGS

i.a) Office bearers will serve for one year, but they can stand for re-election for another term in office after that. Depending on what kind of services they give to the organisation, they can stand for re-election into office again and again. This is so long as their services are needed and they are ready to give their services.

i.b) If a member of the management committee does not attend three management committee meetings in a row, without having applied for and obtaining leave of absence from the management committee, then the management committee will find a new member to take that person?s place.

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i.c) The management committee will meet at least once a month. More than half of members need to be at the meeting to make decisions that are allowed to be carried forward. This constitutes a quorum.

i.d) Minutes will be taken at every meeting to record the management committee's decisions. The minutes of each meeting will be given to management committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the management committee, and shall thereafter be signed by the chairperson.

i.e) The organisation has the right to form sub-committees. The decisions that sub-committees take must be given to the management committee. The management committee must decide whether to agree to them or not at its next meeting. This meeting should take place soon after the sub-committee?s meeting. By agreeing to decisions the management committee ratifies them.

i.f) All members of the organisation have to abide by decisions that are taken by the management committee.

j. DECISION MAKING

j.a) When necessary, the management committee members will vote on issues. If the votes are equal on an issue, then the Chairperson has either a second or deciding vote.

k. BANK ACCOUNT

k.a) The treasurer shall arrange for all funds to be put into a bank account in the name of the Organisation.

I. FINANCIAL YEAR END

The financial year of the Organisation ends on 28 February.

m. CHANGES TO THE CONSTITUTION

m.a) The Constitution can be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the management committee members who are at the meeting. Management committee members must vote to change the constitution.

m.b) Two-thirds of the management committee members shall be present at the meeting before a decision to change the constitution is taken. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.

m.c) No amendments may be made which would have the effect of making the Organisation cease to exist.

n. DISSOLUTION/WINDING-UP

The Organisation may close down if at least two-thirds of the members present and voting at the meeting convened for the purpose of considering such matter, are in favour of closing down.

o. EXCESS FUNDS AFTER DISSOLUTION

When the Organisation closes down it has to pay off all its debts. After doing this, if there is property or money left over it should not be paid or given to members of the Organisation. It should be given in some way to another non-profit organisation that has a similar objective.

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a similar objective.



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The constitution was approved and accepted by the management committee of Lesedi Day Care.

Mr. Cletus Damba

Chairman

Mrs. Anné Pretorius

Treasurer

Vice-Chairman

Mrs. Jodene Malan

Secretary

Mr. Vohani Thovhakale

Sanele Mangele

Ms. Valencia Matseba