



# Lesedi Day Care our children's future starts today!

NPO no: Pending  
Farm J92, Marble Hall, 0450  
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## 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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- 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 the 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 of 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.

*Handwritten signatures and initials:*  
M. Dandane, MV, Jee, and other illegible marks.



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- 6. 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.

*[Handwritten signatures and initials]*



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

Mr. Cletus Damba  
Chairman

Mrs. Elke Esterhuizen  
Vice-Chairman

Mrs. Anne Pretorius  
Treasurer

Mrs. Jodene Malan  
Secretary

Mr. Vohani Thovhakale

Sanele Mangele

Ms. Valencia Matseba