



Africa
Children
Aid (NPC)

ORIGINAL

AFRICA CHILDREN AID

Constitution

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ACA 001/1

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Definitions

In this Constitution the following words shall, unless the context otherwise indicates, have the meanings hereafter assigned to them

Section 1

4.1,4.2,4.5	Relief	financial or practical assistance given to those in special need or difficulty
4.1	National context	Within the borders of the Republic of South Africa.
4.1	International context	Any country that works with ACA
4.2	Village Representative	A leader or person representing a specific group of people within his/her village or community.
4.2	Religious Leader	A person that is part of a believe system and is a leader within that believe system.
4.2	Community Leader	Is a person which is identified and recognized as a leader in its community.
4.2	Needs Analyses	An Analyses of needs
4.5	Certain Relief	Provision of specific items or services
4.5	Specific Group	Without prejudice providing relief to a identified group of people
4.3,4.4,4.5	Individuals	Single persons
4.8	Biblarary Crate	A crate that consist of religious reading and training material.
	Board	Appointed in terms of this constitution
12.3,13.1,13.3	Board Member	Appointed in terms of this Constitution
	Constitution	Means the Constitution of Africa Children Aid.
10.5	Financial Year	Means 1 January to 31 December
6.	Member	Is a person who comply with set criteria and approved by the board.

2. Name

2.1 The name of the Company will be “Africa **Children Aid**”

2.2 The shortened name of the company will be” **ACA**”

3. Legal Status

3.1 Africa Children Aid is a non-Profit company as defined by the Statuary Laws of the Republic of South Africa as amended from time to time and promulgated in the Government Gazette of the Republic of South Africa.

3.2 The company is incorporated as a non-profit company with members as defined in the Companies act.

4. A company for non profit

4.1 **Africa Children Aid** does not exist to do business to gain profit for the company or any of its members.

4.2 The Assets of **Africa Children Aid** will be used directly or indirectly for the promotion of its objectives.

5. Aims and Objectives of Africa Children Aid

5.1 Provide relief to children and people in the national and or international context.

5.2 **Africa Children Aid** will work together with Village Representatives, Religious leaders, and Community leaders to do a proper needs Analyses of the needs of a specific Village, area, or community.

5.3 **Africa Children Aid** will work **together** with the leaders as recorded in 5.2 to provide relief. **Africa Children Aid** will strive to negotiate with all role players before it decides to provide relief to a group of people or individuals.

5.4 It is specifically recorded that **Africa Children Aid** are by no ways compelled to provide aid outside of its means to any individuals or group of people.

5.5 The decision to provide certain relief to a specific group or individuals are the decision of the board and is final.

5.6 *In support of this context **Africa Children Aid** will provide aid, support and training within its own limits and resources to:*

5.6.1 Provide basic clothing to needy children with need where it is possible to do so.

5.6.2 Assist Communities with the necessary training and tools to start community vegetable gardens in their prospective areas.

5.6.3 Provide communities with the necessary equipment to provide clean drinking water to children and members of that community.

- 5.6.4 Assess and provide children with some school supplies.
- 5.6.5 Provide sanitary products to women.
- 5.6.6 Provide training within its scope of expertise and training that is approved by the board.
- 5.7 **Africa Children Aid** can provide assistance to any part of the missions calling whether it is resources or contributions that is approved by the board.
- 5.8 **Africa Children Aid** can provide a combination of biblical material to a community within the provisions of 5.1,5.2,5.3,5.4,5.5 which is also known as a “**Biblarary crate**”
- 5.9 The objectives and Aims in terms of section 5 of this constitution does not limit **Africa Children Aid** in its efforts to provide aid, the objectives of the company as recorded in its Mission, Vision and objectives can be reviewed and changed by the Board from time to time.
6. Powers
- The company will have the power to:
- 6.1 To receive any movable or immovable property from any person or company to advance its objectives and to maintain, improve and alter any of the companies property.
- 6.2 To open any number of bank accounts in the name of the company.
- 6.3 To do other lawful things that are not inconsistent with the objectives provided in this constitution.
- 6.4 The company does not limit itself to the stipulations of point 6 of this constitution but binds itself according to the provisions of the fund-raising policy of the company that can be changed by the board from time to time.
7. Membership
- 7.1 Membership Criteria are regulated by the board. The board reserves the right to Change the Criteria for membership from time to time. Please refer to the Membership Criteria policy of **African Children Aid**. All new members must be approved by the Board.
- 7.2 Membership are open to any person but is limited to the provision of section 6.1.
- 7.3 The membership will not discriminate against any person based on gender, race, or Nationality.
- 7.4 Members of **Africa Children Aid** are those people that complies to the criteria set in section 7 of this Constitution and which is approved by the board.

- 7.5 All membership issues are governed by the relevant membership policies and can be amended from time to time by the board of **African Children Aid**.
- 7.6 Membership are open to both national and international application, if it complies with section 7.1,7.2,7.3,7.4,7.5.
8. Fees and Subscriptions
- 8.1 Approved members need to contribute a monthly membership fee to the organization. Fees are determined by the board and regulated by Tiers.
- 8.2 The purpose of a membership fee is to contribute towards the day to day expenses of **Africa Children Aid**.
- 8.3 The board can where it seems reasonable fit exempt any person from any membership fees.
- 8.4 The board will determine and reserve the right to determine fees according to the said tiers. This fees is determined by the board and the decision of the board is final.
9. Rights of Members
- 9.1 Membership shall not give any member the right to any money, property, or assets of **African Children Aid**.
10. Duties and Liabilities of Members
- 10.1 Any approved member bound itself to the Constitution, policies, and procedures of **African Children Aid**.
- 10.2 **African Children Aid** is bounded to terms of any provision of any law both national and international. All members of **Africa Children Aid** are bounded by the provisions of this section.
- 10.3 All members shall comply with the request for information if requested to do so.
- 10.4 When a person become a member, they need to pay membership fees into **Africa Children Aid** bank account as agreed to in the membership agreement.
- 10.5 When a member fails to pay membership fees for three months, the board reserves the right to inform the member that its membership has been revoked. The board reserves the right to revoke or reinstate any membership at any time it deems fit.
11. Meetings and voting
- 11.1 A general meeting of members of the company shall take place once a year.
- 11.2 The board will determine the method, date, time, and place for the meeting as in 10.1.
- 11.3 The board can on its discretion call a general meeting at any time it wishes to do so.
- 11.4 The board needs to give at least 21 working days' notice for a general meeting.

- 11.5 The general meeting must be held within 6 months of the financial year end.
- 11.6 Notices can be sent by any way deemed fit by the board.
- 11.7 The only quorum provision for a general meeting is that all founding Directors needs to be present.
- 11.8 Each founding members will have 1 vote. Motions will be passed by a show of hands.
- 11.9 All queries need to be submitted to the board within seven day of the general meeting.
- 11.10 The chairperson for the meeting will be elected by the board. If any member conducts itself in disorderly manner the chairperson reserves the right to suspend the meeting immediately and provide an additional date for a new meeting. All motions taken up to that point will remain as valid and the new meeting will continue from the last motion taken.

12. The Board

- 12.1 The board will consist out of the founding members.
- 12.2 The board reserves the right to appoint any other member than a founding member as part of the board at its own discretion. It can also remove any non-founding member of the board at any times it seems fit.
- 12.3 If a founding member resigns the other founding members can resolute any decision with regards to the rights and voting right of any member or the executive powers of the board. This decision is always binding on this constitution.
- 12.4 The board can issue any directives, policies, and procedures which it seems fit at any time.
- 12.5 The board can establish any ad-hoc committee at any time it seems fit.
- 12.6 The board is explicitly the only spokesperson for **African Children Aid**. No other member may speak on any matter to any other parties with the intention to cause harm to **African Children Aid** or any of its Directors or to any other member of the company. For canvas of donations please refer to the fund-raising policy.

13. Office Bearers and officials

- 13.1 The office bearers and officials are determined by the board and can be change by the board from time to time. For the official hierarchy please refer to the relevant human resource policy.
- 13.2 The founding members will choose a chair and vice chairperson for the financial year. This decision is binding on all members and office bearers of the organization.

13.3 The duties and obligations of all the board members will be recorded in the official human resource policy of **Africa Children Aid**.

14. Finance

14.1 Every Board member, manager and officer of the Company and every person (whether an officer of the Company or not) employed by the Company shall be indemnified out of the funds of the Company against all liability incurred by him as such Board member, manager, or officer.

14.2 The funds of the company shall be applied to Pay expenses and acquisition of items that promote its objectives as is set out in section 4 of the Constitution.

14.3 All payments must be approved by at least one founding board member.

14.4 There is no limit to the amount to be paid in terms of section 13.1,13.2 of this Constitution.

14.5 The board will determine any remuneration for any person employed by **Africa Children Aid**.

14.6 The financial Year end for **Africa Children Aid** will be from 31 December to 1 January.

15. Discipline

15.1 Discipline in **Africa Children Aid** are governed by its Disciplinary code of conduct. This is governed by the board and it can be changed from time to time.

16. Committees

16.1 The board reserves the right to establish any committee of whatsoever nature at its discretion. The aim of committees is to work or do research or investigate methods and matters to advance the objectives of **Africa Children Aid**.

17. Resignations

17.1 Any member who wants to resign for whatsoever reason must do so in writing. The board can only terminate a membership when it is recorded in writing.

18. Amendments

18.1 Any amendments of this constitution must have a majority vote from the founding Directors.

18.2 Amendments unless otherwise stipulated must be communicated to all members within 60 days of its recorded change.

18.3 This constitution may be altered or amended in any manner necessary to correct a patent error in spelling, punctuation, reference, grammar, or similar defect on the face of the document.