



Constitution 2016



NPC 017-243

PBO 930 011 817

Section 21 Company Registration: 2010/014470/08

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Vision:

To build an infrastructure in terms of creating & implementing projects & programs to facilitate the growing need for services to the increasing number of abandoned, abused, neglected babies & toddlers, children living, working & begging on the streets as well as orphans and vulnerable children in the country.

Mission:

As it is of Paramount Importance to render a wide range of holistic services which are in the Best Interest of Each Child in our care it is our Mission to be a Best Practise Designated Child Protection Organisation for Children in need of Care & Protection.

Clause 1: Name & Area of Operation

The Organisation shall be called "New BeginningZ".

- 1.1 It shall function as an autonomous, non-profit making, voluntary organisation & conduct its business in the Magisterial areas of; The entire Gauteng and Cape Town areas and beyond as and when the need arises for children in need of care and protection that requires our services.
- 1.2 It will network with all other organizations, nationally, provincially and locally addressing the needs of children in need of holistic care and protection.
- 1.3 It shall exist in its own right, separately from its members.
- 1.4 It shall continue to exist even when its membership changes and there are different office bearers.
- 1.5 It shall be able to own property and other possessions.
- 1.6 It shall be able to sue and be sued in its own name.

Clause 2: Aims & Objectives

The Objectives of this Organization shall be:

- 2.1 To work with all children between the ages of 0-18 in need of care and protection rendering services and programs in each individual child's best interest.
- 2.2 Provide a loving, stable, nurturing home & therapeutic environment to all children in the care of the NBZ.
- 2.3 Provide Prevention and Early Intervention Programs with a special focus on OVC's.
- 2.4 Expand our current operations to other provinces to provide specialist services.
- 2.5 Expand our Adoption Assistance Program, Introduce, screen & support the best possible adoptive parents & or permanent placement options with families either through NBZ or through well established, accredited and approved CPO's. (including Screening, Adoption, Networking, Referrals, After Care Support Services).
- 2.6 Provision of Basic Services such as Health Care, Counselling, Emotional and Physical Therapy relating to the emotional trauma of abuse and/or abandonment.
- 2.7 Provision of Specialized Services.
- 2.8 Provide Schooling as well as Formal and Informal Education or Training according to the child's needs and abilities.
- 2.9 Stabilisation & Rehabilitation & Reintegration (if and where possible).
- 2.10 Permanency planning in terms of every Child's Future.
- 2.11 Reintegration and or Reunification with biological families or extended families when possible provided that it is in the Best Interest of each individual child in question based on thorough investigations and panel discussions of the various stakeholders including New BeginningZ.
- 2.12 Comply with norms and standards and procedures for Service Excellence.
- 2.13 Developing additional, relevant Training Programs as well as expanding and improving on those already being implemented
- 2.14 Monitor the quality of services provided by members and partners to ensure the best possible services to our children.
- 2.15 Maintain current, as well as establish positive, mutually beneficial networking partnerships and working agreements all across South Africa to increase capacity and service delivery.
- 2.16 To facilitate Empowerment and Capacity Building of families in needy circumstances through training programs in Family Values and Responsibilities, Parenting Skills, Support Services and Assistance Provision Programs to ensure permanent reunification.

- 2.17 Lobbying on behalf of the Rights of Children.
- 2.18 To participate in partnerships with all Government Departments, CPO's, Donors and Funders and all other relevant organisations and service providers.

Clause 3: Membership

Membership of the NBZ will be open to all persons and companies or structures that show a concern for serving the best interest of Children in need of Care and Protection.

- 3.1 All members shall subscribe to the Vision & the Mission of the Organisation as set out in our Constitution.
- 3.2 All members will be required (if and when necessary) to pay an annual subscription fee, the amount of which shall be determined at an Annual General Meeting.
- 3.3 Each paid up member may be entitled to send one duly accredited representative and/or alternate to the relevant meeting and be entitled to one vote.

Clause 4: Plenary Meeting

- 4.1 The Plenary meeting shall consist of all accredited representatives of New BeginningZ.
- 4.2 Representatives of Provincial and Local Government Structures who have an interest in Children in need of Care and Protection issues have the option to be a part of this body without voting rights.
- 4.3 Non member organizations who have an interest in Children in need of Care and Protection issues may attend & participate in discussion without voting rights.
- 4.4 No individual person or organisation in the plenary shall have a direct / indirect interest or benefit from any contract, which the plenary may conclude with any company.
- 4.5 The office bearers of the Executive Committee will also serve as the office bearers of the plenary.
- 4.6 All decisions will be carried by a simple majority vote of all accredited representatives present.
- 4.7 All task team reports will be presented to the plenary for action.
- 4.8 Recommendations from the plenary meeting will be forwarded to the Executive Committee for its attention.
- 4.9 The plenary of the Organization shall meet no less than once a year at which meeting it will receive & discuss any business pertinent to the Organization.
- 4.10 Minutes of the meeting shall be made available to members 5 days prior to the next meeting.
- 4.11 Accredited representatives of 50% of the members plus one shall constitute a quorum.
- 4.12 Should the members present not make up a quorum for the meeting, it will be postponed for 2 weeks after which the members present will represent a quorum even if there are less people present.

Clause 5: Executive / Management Committee

- 5.1 The Executive Committee (Management Committee / Office Bearers) shall consist of a minimum of 6 people namely the Director a Chairperson, Vice Chairperson, Treasurer, Secretary, and Member (s).
- 5.2 The Quorum shall consist of 50% plus 1, i.o.w 4 people.
- 5.3 The Director will serve on the Executive Committee without any voting rights.
- 5.4 No individual person with a seat on the Executive Committee shall have a direct interest in or benefit from any contract, which The Executive Committee may conclude with any company.
- 5.5 Candidates for elections to the Executive committee shall be nominated by the Board of Directors at the Annual General Meeting.
- 5.6 Election of these Candidates will be by secret ballot or show of hands depending on the type of election and its circumstances.
- 5.7 If the number of Candidates proposed & consenting to be on the Executive Committee does not exceed the number of vacancies to be filled, such candidates shall ipso facto be declared duly elected at the Annual General Meeting and the result shall be made known at such meeting.
- 5.8 The Executive Committee shall meet a minimum of twice per year at which meeting it will receive and discuss any business pertaining to this organization.
- 5.9 Should a member of the Executive Committee not attend three Executive Committee Meetings in a row, without having applied in writing for and obtaining leave of absence from the Executive Committee, then the Executive Committee will find a new member to take that person's place.

Clause 6: General Powers of the Executive / Management Committee

The Management, Control and Direction of the General Business of this Organization shall be vested in both the Board of Directors and the Executive (Management) Committee, which shall have the power to:

- 6.1 The Executive Committee shall manage the day-to-day Business & Administer the funds of this organization.
- 6.2 Receive & Collect charitable donations, subscriptions, bequests and any other charity funding.
- 6.3 Deal with, and invest the Finances of the Organization not immediately required in registered financial institutions as defined in Section 1 of the Financial Institutions (Investment of Funds) Act, 1984 or in the acquisition of securities listed on a licensed stock exchange as defined in the Stock Exchange Control Act, 1985.
- 6.4 Generally do all activities as are in their opinion conducive to the attainment of the objectives of this Organization.
- 6.5 Borrow, raise, or secure payment of money in such a manner as the Board of Directors and Executive Committee shall deem fit.
- 6.6 Acquire immovable property & other rights in immovable property, sell, improve, manage, dispose of, develop, exchange, lease, mortgage, turn to account or otherwise deal with all or any part of the property & rights of this Organization on any terms which may from time to time be deemed fit.
- 6.7 Appoint, suspend, or dismiss a Board Member, an Executive Committee member, or any other employee of the Organization as may be necessary, & fix their remuneration & conditions of employment.
- 6.8 Should the services of a fund raiser be made use of or for the collection of contributions, the expenses (remuneration & / or commission included) may not exceed 30% of the total turnover of the collection.

Clause 7: Area of Fund-Raising

- 7.1 This Organization shall raise funds throughout the World, the Province and Country for its overall functioning.
- 7.2 The use of this Organization's Registration Numbers will be used in accordance with the provisions of the Not For Profit Organization Act of 1997.
- 7.3 The Organization will keep a record of everything it owns.
- 7.4 The Organization 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 Organization. This payment must be a reasonable amount for the work that has been done.
- 7.5 Only expenses that have been incurred by members or office bearers on behalf of the organization shall be reimbursed to the said members or office bearers.
- 7.6 No members or office bearers of the Organization shall have undue rights over things that belong to the Organization.

Clause 8: Annual General Meeting

- 8.1 The annual general meeting shall be held not more than six (6) months after the end of each financial year.
- 8.2 Twenty-one (21) written days notice of the Annual General Meeting shall be given to all members.
- 8.3 The following business, in addition to any other business which may arise at the meeting shall be transacted at the annual general meeting.
 - 8.3.1 to receive & adopt the annual report of the Chairperson,
 - 8.3.2 to receive & approve the income & expenditure account & balance sheet of this Organization duly audited, & receive the report of the auditors,
 - 8.3.3 to receive & adopt the annual report of the Director,
 - 8.3.4 to receive & adopt the annual report of the Treasurer,
 - 8.3.5 to ballot, for the election of members of the Executive Committee,
 - 8.3.6 to appoint auditors for the coming year,
- 8.4 Any individual may participate in discussions but only accredited representatives will be entitled to vote
- 8.5 No proxies shall be allowed unless in writing & sent to the Chairperson a day before the meeting

Clause 9: Voting

- 9.1 All matters on which a vote is taken shall be by simple majority, unless otherwise stipulated in this Constitution. Voting shall be by either secret ballot or a show of hands, unless a secret vote is demanded by any member.
- 9.2 On proposal of a secret ballot it shall be held without further discussion or debate.

Clause 10: Minutes of Meetings, Books & Records

- 10.1 Proper minutes of the proceedings of meetings shall be kept.
- 10.2 Proper books & records shall be kept & shall be under the supervision of the Treasurer & Secretary as appropriate.
- 10.3 Public access to all records, minutes & books shall be allowed in the presence of a member of the Executive Committee.
- 10.4 Minutes to be sent to members at least five (5) working day before a meeting.

Clause 11: Alterations of the Constitution

- 11.1 This Constitution may be added to, altered or rescinded by a resolution passed by 66% (two thirds) of the members present & entitled to vote at any properly constituted General Meeting provided that no alternation shall be of any force or effect until it has received the approval of the Non-Profit Organization Directorate.

Clause 12: Financial Year

- 12.1 The Financial Year of this Organization shall be 1st April to 31st March of each year.

Clause 13: Signing Powers

- 13.1 Payments may only be made if approved by the Director in terms of day to day operational expenses.
- 13.2 Single Payments exceeding R50 000.00 shall be approved by the Director in conjunction with the Treasurer and or Executive Committee.
- 13.3 The Organization shall open a bank account, & provide for three signatories.
- 13.4 Cheques & Money shall be signed in the following manner.
 - 13.4.1 There shall be two signatories which may sign with the exclusion of Bank Statements (or any other administrative transactions) which the Director can obtain without the presence of any other signatory.
 - 13.4.2 The Signatories shall be the Director, and one other unless in the event that one of the other signatories are unreachable, unavailable or out of the country.
 - 13.4.2.1 In this case the Director will have the legal capacity to transact on the bank account provided that the total amount of the transactions do not exceed R50 000.00 in a 24 hour period.

Clause 14: Dissolution Or Merger

- 14.1 The Organization may be dissolved or merged with an organization with similar objectives if at least 66% (two thirds) of the full membership of the Board of Directors and the Plenary at a meeting convened for the purpose of considering such a matter are in favour of dissolution or a merger.
- 14.2 If one member is not present at such a meeting, the meeting shall be adjourned for one week & the members attending such a meeting one week later shall constitute a quorum.
- 14.3 Not less than 21 (twenty one) days notice shall be given for convening such a meeting & the notice for convening such a meeting shall clearly state that the dissolution or the merger of the Organization & the disposal of its assets is to be considered.
- 14.4 If upon the dissolution of the Organization any assets whatsoever remain after the satisfaction of all its debts & liabilities, such assets shall not be paid to, or distributed among individual persons or individual members but shall be given to sister organization, with similar objectives & which is / are authorized in terms of the Not for Profit Organizations Act to collect contributions.

This Constitution was signed & accepted by all members of the Organization on

23 / 11 / 2016 at CENTURION

Clause 15: Current Executive / Management Committee (Office Bearers)

Tahiyya Hassim

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Lynette Oosthuizen-Erasmus

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Marolien Grobler

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Mohamed Shiraz Gani

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Leanne Engelbrecht

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Lisa Williams

E-mail: swilliams@mweb.co.za

Clause 16: Board of Directors

Tahiyya Hassim

Mohamed S.A Joosub

Dilshaad Aziz Joosub

Mohamed Shiraz Gani

Bashier Adam

Gary Gatter

*Confidentiality Disclaimer: Members Details and BOD Details omitted for Online Safety & Security Reasons.
For the full version with relevant details please contact the office.*