

31 July 2013

# NTHUSE FOUNDATION

## CONSTITUTION

### 1.NAME

- 1.1 The organization hereby constituted will be called NTHUSE FOUNDATION.
- 1.2 Its shortened name will be NTHUSE (hereinafter referred to as the organization)

The organization shall:

- Exist in its own right, separately from its Directors.
- Continue to exist even when its Directors have changed
- The appointment of new directors will be done through the organization's leadership transition plan.
- Be able to own property and other possessions.
- Be able to sue and be sued in its own name

### 2.OBJECTIVES

(a) The organization's main objectives are to:

- i. Raise funds towards skills development for youth with disabilities and from previously disadvantaged communities in South Africa
- ii. Advance skills development and Capacity Building for the youth with accredited training providers who provide a high standard of education (Certificate to Diploma level)
- iii. Project manage these students effectively and to endeavor to create a successful outcome once studies have been completed.

(b) The Organization's secondary objectives will be for Funders and other Organizations to:

- i. Run disability and disclosure awareness programs for all members of staff, disability environmental audits and workshops around disability integration for HR and Senior Management.

### **3.Income and Property**

- 3.1 The organization will keep a record of everything it owns.
- 3.2 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 of office bearer has done for the organization. The payment must be a reasonable amount for the work that has been done.
- 3.3 A member of the organization can only get money back from the organization for expenses that she or he has paid for or on behalf of the organization.

### **4.Membership and General Meetings**

- 4.1 If a person wants to become a member of the organization, she or he will have to ask the organization's management committee. The management committee has the right to decline.
- 4.2 Members of the organization must attend monthly general meetings.

### **5.Management**

- 5.1 A management committee will manage the organization. The management committee will be made up of **3 members**. They are the office bearers of the organization.
- 5.2 The management committee will meet 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.
- 5.3 Minutes will be taken at every meeting to record the management committee's decisions. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the management committee.
- 5.4 All members of the organization have to abide by decisions that are taken by the management committee.

### **6. Powers of the organization**

- 6.1 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 2 of this constitution. Its activities must abide by the law.
- 6.2 The management committee has the power and authority to raise funds or to invite and receive contributions.
- 6.3 The management committee does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.



- 6.4 The management committee has the right to make by-laws for proper management, including procedure for application, approval and termination of membership.
- 6.5 The management committee has the right to dismiss other members with immediate effect, should they not be working effectively towards the running of the NPO, or should they be found doing unethical business practices which could harm the NPO, its beneficiaries and the other members.

## **7. Meetings and procedures of the committee**

- 7.1 The management committee must hold monthly meetings.
- 7.2 Minutes of all meetings must be kept safely and always be on hand for members to consult.
- 7.3 The minutes of meetings must be sent to the Department of Social Development along with the financials and the Narrative Report.

## **8. Finance**

- 8.1 Mr. Anton Botes is Nthuse Foundation Accounting Officer. His duty is to put management accounts together, audit and handle all finances of the Organization.
- 8.2 The Treasurer's job is to control the day-to-day finances of the organization. The Treasurer shall arrange for all funds to be put into a bank account in the name of the Organization. The Treasurer must also keep proper records of all the finances.
- 8.3 The financial year of the Organization runs from 1<sup>st</sup> March to 28<sup>th</sup> February of each year.
- 8.4 The Organization's accounting records and reports must be ready and handed to the Director of Non-Profit Organizations (Department of Social Services) within six months after the financial year end.
- 8.5 If the Organization 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 Organization can get securities that are listed on a licensed stock exchange as set out in the Stock Exchange Control Act, 1985. The Organization can go to different banks to seek advice on the best way to look after its funds.

## **9. Changes to the Constitution**

- 9.1 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 members who are at the Annual General Meeting or Special General Meeting. Members must vote at this meeting to change the Constitution.

- 9.2 Two thirds of the members shall be present at a meeting (“the quorum”) before a decision to change the Constitution is taken. Any General Meeting may vote upon such a motion.
- 9.3 No amendments may be made which would have the effect of making the Organization cease to exist.

## **10. Dissolution/Winding-up**

- 10.1 The Organization may close down if at least two-thirds of the members present and voting at a meeting convened for the purpose of considering such matter, are in favor of closing down.
- 10.2 When the Organization 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 Organization.

## **11. Adoption of the Constitution**

This Constitution was approved and accepted by members of NTHUSE FOUNDATION.

## **NTHUSE FOUNDATION DIRECTOR PROFILES**

### **Operational/fundraising Director Gauteng – Amos Maziba**

- Disability specialist in awareness programs since 2003
- Training for Nthuse Diversity Management Solutions CC
- Experience in Facilities Management and Environmental and Workstation Audits for various organizations nationally
- Experience in Health and Safety and Implementation of Policies around all aspects of these issues
- Works as an independent disability consultant.

### **Administration/Treasurer – Director CapeTown - Kim Krynauw**

- Recruitment and Selection for over 12 years
- Disability specialization in recruitment, training and Learnerships for over 12 years
- Owner and Founder of Nthuse Diversity Management Solutions CC in 2003
- Runs various disability awareness programs for HR, EE, Line Managers and Staff for various organizations
- Involved in Environmental and Workstation audits for the Presidency and various organizations nationally
- Co-ordinated and facilitated ACSA Disability Expo in Gauteng from 2005 to 2007 and the Independent Healthy Living and Disability Expo at NASREC in 2008
- In 2010 started a successful Skills Development Program for previously disadvantaged and students with disabilities. Is the founder of the Nthuse Foundation.

### **Community Development Director (Cape Town) – Elizabeth Maphike**

Elizabeth possesses enormous skills in Community Development. Years of working as an Educator in Life Skills has taught her the value of Youth Development and sheer determination. She is involved in mobilizing the youth, interviewing and recruiting candidates for training and development.

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