

# JO'BOURG ACCUEIL

## Constitution

### 1 - Name

The organisation hereby constituted will be called Jo'bourg Accueil, hereinafter referred to as the organisation. It will be ruled by the Non Profit Organisation Act 1997 (NPO Act n°71 of 1997) and registered under the n° 037 243-NPO

### 2 - Body corporate

The organisation shall:

- exists in its own right, separately from its members,
- continue to exist when its membership changes and there are different office bearers,
- be able to own property and other possessions,
- be able to sue and be sued in its own name.

### 3 - Objectives

- 3.1 The organisation is a member of F.I.A.F.E, Fédération Internationale des Accueils Français et Francophones à l'Etranger ([www.fiafc.org](http://www.fiafc.org)), based in Paris, France, and supports its international charter.
- 3.2 The organisation is for everyone without discrimination whether social, political or confessional.
- 3.3 Its objective is to make easier the adaptation of French citizens and French speaking newcomers to South Africa by welcoming them, informing them and organising friendly meetings with sports, cultural and craft activities.

### 4 - Income and property

- 4.1 The organisation will keep a record of everything it owns.
- 4.2 The organisation may not give any of its property to its members or office bearers.
- 4.3 Members or office bearers do not have rights over assets belonging to the organisation.

### 5 - Powers of the organisation

- 5.1 The 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 3 of this constitution. Its activities must abide by the law.
- 5.2 The Committee has the power and authority to raise funds, to receive contributions and make donation for charity purposes.
- 5.3 The Committee has the power to buy, hire or exchange any asset that it needs to achieve its objectives.
- 5.4 The Committee has the right to make by-laws for the proper management of the organisation.
- 5.5 The organisation will decide on the powers and functions of office bearers.

### 6 - Membership

6.1 Active Members : to be an active member, one needs:

- to abide by the present rules,
- to fill in and sign an application form,
- to sign an indemnity agreement,
- to have paid the membership subscription, the amount of which will be determined by the Committee based on current expenses,
- to have his/her application accepted by the Committee. The Committee has the right to refuse the membership.

6.2 Honorary Members

The French Ambassador, the French Consul General and spouses, as well as former presidents of the organisation are honorary members. The Committee reserves the right to nominate more honorary members.

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### 6.3 Termination of membership

The following will cease to be part of the organisation, without affecting its existence in any way

- those who have resigned by registered letter to the chairperson of the organisation,
- those who have been excluded by the Committee for not abiding by the present rules, or for some other serious reason, after being invited to present their case to the Committee.
- those who have not renewed their membership by 1<sup>st</sup> November of each year.

## 7 - Management Committee

- 7.1 A management committee (herein referred to as the Committee) will manage the organisation. The Committee will be made up of not less than 4 members (chairperson, deputy chairperson, secretary, and treasurer). If needed, the Committee will create new positions for members in charge of different activities (i.e. cultural, outings, events, newsletter, business relations, etc.). They are the office bearers of the organisation.
- 7.2 The Committee is elected by the general meeting in May/June and is renewed every year. Office bearers can stand for re-election. Applications to the Committee's positions must be sent in writing, at least 20 days prior to the general meeting. The new Committee will assume duty from 1<sup>st</sup> July following the general meeting, (with preparation beginning in June) until 30<sup>th</sup> of June of the following year.
- 7.3 The Committee elect amongst its members a chairperson. The chairperson of the Committee shall act as the chairperson of the organisation.
- 7.4 Committee members must be members of the organisation, over the age of 18 and French speaking. The chairperson must be a French national (except for a special dispensation by the FIAFE).
- 7.5 Working for the Committee in whatever position is done on a voluntary basis with no remuneration..
- 7.6 The committee members commit themselves to :
- comply with the objectives of the organisation.
  - take the chosen activity during the school year with dedication, discretion and consistency.
  - be present at the meetings.
- 7.7 In case of a vacancy arising during the administrative year, the Committee will choose a substitute by co-option. After being introduced to the Committee, the applicant must be agreed unanimously. The powers of members so chosen will end when the mandate of the substituted member would have normally expired.
- 7.8 In case of resignation, the members of the Committee must give their resignation letter to the chairperson or to the deputy chairperson, if it is the chairperson who resigns. They will be substituted according to the procedure described in 7.6.

## 8 - Meetings and procedure of the Committee

- 8.1 The Committee will meet at least once a month (except during the French school holidays) and any time it is necessary. The chairperson or one of its members can convene those meetings.
- 8.2 **Quorum:** more than half members of the Committee need to be at the meeting to make decisions that can be carried forward. If a member of the Committee cannot attend the meeting, he can give a power to another member who will be able to attend the committee on his/her behalf.
- 8.3 Decisions are made on a simple majority basis. If the votes are equal on an issue, then the chairperson has a casting vote. The Committee is free to invite to its meetings, any person thought to be able to contribute to the development of a specific point but that person has no voting power..
- 8.4 Minutes will be taken at every meeting to record the Committee's decisions. The minutes of each meeting will be given to Committee's members at least one week before the next meeting. The minutes shall be confirmed as a true record of proceedings by the next meeting of the Committee and shall thereafter be signed by the chairperson.

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- 8.5 If a member of the Committee does not attend three meetings in a row, without a proper justification given to the Committee, then the Committee may replace him/her by a new member. His/her mandate will end as in 7.7
- 8.6 In case of repeated breach of his/her commitments, a member of the Committee may be excluded of the Committee after a simple majority vote of the Committee.
- 8.7 All members of the organisation have to abide by decisions that are taken by the Committee.
- 8.8 The list of members or organisation directory shall not be used for personal or commercial purposes, nor communicated to anyone without prior consent from the Committee. Breach of this rule constitutes a serious misconduct.
- 8.9 Members or office-bearers don't become liable for any of the obligations and liabilities of the organisation solely by virtue of their status as members or office-bearers of the organisation.
- 8.10 Office-bearers are not personally liable for any loss suffered by any person as a result of an act or omission which occurs in good faith while the office-bearer is performing functions for or on behalf of the organisation
- 8.11 The liability of the organisation is limited to its assets and the liability of its members is limited to the amount of their fee.

## 9 - Finance

- 9.1 The resources of the organisation are funded by :
- o members subscriptions,
  - o advertisements in the newsletter,
  - o sale of the welcome booklet,
  - o surplus from organised outings,
  - o revenues produced by a variety of events and activities,
  - o income from sponsors, subventions, gifts and legacies,
  - o surplus from savings on the annual budget,
  - o any other resources authorised by south african law.
- 9.2 These funds are used to cover the expenses of the organisation.
- 9.3 The organisation has its own bank account for its operations. In no case can funds be deposited on the personal bank account of a Committee's member.
- 9.4 The financial and administrative year of the organisation will begin on 1<sup>st</sup> July and end on 30<sup>th</sup> June of the following year.
- 9.5 The treasurer's task is to control the day-to-day finances of the organisation. The treasurer must keep proper records of the finances. The treasurer shall arrange for all funds to be put into a bank account in the name of the organisation.
- 9.6 Whenever funds are taken out of the bank account, the chairperson and the treasurer must sign the withdrawal or cheque. If one of them is away, the deputy chairperson can replace one or the other.
- 9.7 Committee members' expenses on behalf of the organisation can be reimbursed with a detailed-signed expense account with bills and invoices attached.
- 9.8 Any funds accepted by the organisation must carry a numbered receipt of which the treasurer keeps a copy.
- 9.9 The organisation's accounting records and reports must be ready and handed to the Director of Non Profit Organisation within six months after the financial year end.

## 10 - General meetings (annual or special)

- 10.1 General meetings are for all members of the organisation, whatever their status, as long as their fees have been paid.
- 10.2 **Notices:** notices to attend will be done under the supervision of the secretary, at least fourteen (14) days prior to the meeting by e-mail and/or newsletter of the organisation. Members must be informed of the meeting's location, date, hour and agenda. Members have eight (8) days to request that some extra topics be added to the agenda. Only topics listed on the agenda shall be discussed during the general meetings.

- 10.3 **Proxies:** members prevented from attending the meeting can empower any member of the organisation to represent them. The proxies must be signed. Any attending member may not receive more than three proxies.
- 10.4 **Quorum:** meetings are valid if a minimum of one third of the members is present or represented. If not, the meeting is postponed for eight (8) days and will be reconvened without any quorum on the same agenda. All members present at the meeting sign a list. Proxies will be attached to the list.
- 10.5 **Motions** are approved by a show of hands.
- 10.6 **Voting** is by secret ballot. Each member has the right to one vote. In case of a tie, the chairperson has a casting vote.
- 10.7 The minutes of the general meetings are recorded by the secretary, signed and kept by him/her and the chairperson and passed on to the members by e-mail and/or newsletter of the organisation.

### Annual general meetings

- 10.8 The annual general meeting must be held once every year, within the two months preceding the end of the organisation's financial year.
- 10.9 At its annual general meeting, the organisation will deal with the following matters, amongst others: chairperson's report, treasurer's report, election of new office bearers or Committee, miscellaneous.
- 10.10 **Majority:** votes or motions are pronounced by the simple majority of expressed votes of members present or represented.

### Special general meetings

- 10.11 Special general meetings rule on urgent questions that cannot be dealt with by the annual general meeting such as financial or judicial problems, changes to the constitution, dissolution or merger of the organisation.
- 10.12 Special general meeting shall be convened either by :
  - o the chairperson,
  - o half the members of the Committee, with a minimum of four members,
  - o a written request passed on to the secretary of at least one third of the organisation's members.
- 10.13 **Majority:** decisions or changes must be agreed upon by not less than two thirds of the members who are present or represented.

### 11 - Changes to the constitution

- 11.1 A written notice indicating the proposed changes must be given at least fourteen (14) days before the general meeting (annual or special) at which the changes are going to be put forward.
- 11.2 **Majority:** same as 10.14
- 11.3 No amendment shall be made which would have the effect of winding-up the organisation.

### 12 - Dissolution/Winding-up

- 12.1 **Majority:** the organisation may wind-up at a special general meeting if at least two-thirds of the members present or represented agree to do so.
- 12.2 The general meeting will allocate the remaining assets to a Non Profit Organisation that has similar objectives who will receive the remaining assets, after all the organisation's liabilities have been met.
- 12.3 To carry out the operations of winding-up, the general meeting will designate one or more members of the organisation and will empower them to this effect.

This constitution was approved and accepted by members of Jo'bourg Accueil,  
at the annual general meeting held on the 18<sup>th</sup> may 2004.

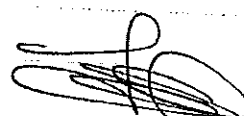
Chairperson



Deputy Chairperson



Secretary



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