

CONSTITUTION: RAILHOPE SOUTH AFRICA

5th September 2016

1. *RailHope South Africa*

- 1.1 The organisation hereby constituted will be called **RailHope South Africa**
- 1.2 Its shortened name will be **RailHope** (hereinafter referred to as the organisation)
- 1.3 Body corporate

The Organisation Shall:

- I. Exist in its own right, separately from its members.
- II. Continue to exist even when its membership changes and there are different office bearers.
- III. Be able to function as an independent legal entity within the framework of South African Law

2. *Aim/Mission*

- 2.1 The mission of RailHope South Africa is to pray for all employees, management, commuters, the safe transport and handling of freight, a crime free work environment and for the profitability and sustainability of our companies.
- 2.2 We undertake to evangelize within our industry and represent the love of Christ for the lost thereby bringing them HOPE

This mission will be guided by the following principles:

- I. We believe that it serves God's purposes and is a strong testimony for unity, when we work together with other Christians.
- II. The basic is the Bible and the faith in Jesus Christ, Son of God.
- III. We recognize the Apostolic creed which, in our opinion, summarises our basic, yet most important, Biblical beliefs and principles.

The following rules apply as a basis for theological questions, as well as for our relationships with one other:

- I. Unity in all things which are essential for salvation
- II. Love and unity in our lifestyles and relationships.
- III. Freedom of personal choice towards religious practice, within the boundaries established (in Apostles Creed).

3. *Objectives*

The objectives of the organization will accomplished through a variety of mechanisms including but not limited to:

- 3.1 To raise funds and receive contributions where appropriate to finance the evangelistic work.
- 3.2 To publicise and promote the mission.

- 3.3 Open and manage bank accounts.
- 3.4 Make rules and standing orders for categories of members and their rights.
- 3.5 Take out insurance.
- 3.6 Organise meetings and events.
- 3.7 Work with similar organizations and exchange information and advice with them.
- 3.8 Take any action that is lawful, which would help it to fulfil its aims.
- 3.9 Fund raise to facilitate the main objective

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 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.
- 4.3 A 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. Receipts must be produced for this.
- 4.4 Members or office bearers of the organisation do not have rights over things that belong to the organisation.

5. Membership

- 5.1 Membership of **RailHope** shall be open to anyone who is interested in helping the organization to achieve its aim and willing to abide by the rules of the organization.
- 5.2 Every member shall have one vote at general meetings.
- 5.3 The Management Committee shall have the power to refuse membership to an applicant, where it is considered such membership would be detrimental to the aims, purposes or activities of the organization.

Registration and termination of membership.

- I. Any member of the association may resign his/her membership and any representative of a member organisation or section may resign such position, by giving to the secretary of the association written notice to that effect.
- II. The Management Committee may, by resolution passed at a meeting thereof, terminate or suspend the membership of any member, if in its opinion his/her conduct is prejudicial to the interests and objects of the association, PROVIDED THAT the individual member or representative of the member organisation (as the case may be) shall have the right to be heard by the General Committee before the final decision is made.
- III. There shall be a right of appeal to an independent arbitrator appointed by mutual agreement.
- IV. Comply with requirements of clause 3 (b) of the IRM Constitution namely, ...*The IRM member has organized structures like an actual list of voluntary members, an annual meeting and a chosen IRM Representative...*

6. Management

6.1 **RailHope** shall be administered by a Management Committee of not less than three (3) people and not more than fifteen (15) members elected at the organization's Annual General Meeting, Committee Members must be at least 18 years old.

6.2 The officers of the Management Committee shall be:

- i. The Chairperson
- ii. The Vice-Chairperson
- iii. The Treasurer
- iv. The Secretary (Administrator)

And such other officers the group shall deem necessary at the meeting.

6.3 The Management Committee shall meet at least twice a year.

6.4 At least five (5) Management Committee members must be present for the Management Committee meeting to take place.

6.4 Voting at Management Committee meetings shall be by show of hands on a majority basis. If there is a tied vote then the chairperson shall have a second vote.

6.5 Power to set up sub-groups and working parties as deemed necessary who shall be accountable to the committee.

6.6 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.

7. 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 2 of this constitution. Its activities must abide by the law.

7.1 The committee has the power and authority to raise funds or to invite and receive contributions.

7.2 The management committee does, however, have the power to buy, hire or exchange for any property that it needs to achieve its objectives.

7.3 The management committee has the right to make by-laws for proper management, including procedure for application, approval and termination of membership.

7.4 Members or office bearers do not 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.

7.5 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.

7.6 The functions of the organisation are to fulfil the objectives set out in clause 2.

8. Finance

- 8.1 Any money obtained by the organization shall be used only for the organization.
- 8.2 Any bank accounts opened for the organization shall be in the name of the organization unless the committee decides contrary
- 8.3 Any bank account shall have at least signatories/nominated signatures.
- 8.4 The Management Committee will ensure that the organization adheres to a budget.
- 8.5 An accounting officer shall be appointed at the annual general meeting. His or her duty is to audit and check on the finances of the organisation.
- 8.6 The treasurer's job is to control the day to day finances of the organisation. The treasurer shall arrange for all funds to be put into a bank account in the name of the organisation. The treasurer must also keep proper records of all the finances.
- 8.7 Whenever funds are taken out of the bank account, the chairperson and at least two other members of the organisation must give approval.
- 8.8 The financial year of the organisation ends on 28th February.
- 8.9 The organisation's accounting records and reports must be ready and handed to the Director of Non-profit Organisations within six months after the financial year end.
- 8.10 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.
- 8.11 Funds may be used for materials, equipment, furniture, hire of materials, equipment, salaries for work done, sponsorship, books, food, accommodation, travelling expenses, purchase of bibles and donations to charitable causes

9. Committee Meetings

- 9.1 The committee shall meet at least four (4) times each year.
- 9.2 The quorum for a meeting shall be five (5).
- 9.3 The committee shall be accountable to the members at all times.
- 9.4 All meetings must be recorded and available to any interested party.
- 9.5 All committee members shall be given at least seven (7) days' notice of a meeting unless it is deemed an emergency meeting.

General Public Meetings

- 9.6 The committee shall call at least two general public meetings each year, the purpose of these meetings is for the organization to account for its actions and consider the regeneration and development of: anything in line with the organization's objectives.

- 9.7 The Chair of the organization shall normally chair these meetings.
- 9.8 At least fourteen (14) days' notice of such a meeting must be given and advertised in at least five (5) public places.
- 9.9 All meetings, including AGMs, must be recorded and available to any interested party.
- 9.10 The quorum for a General Meeting is six (6).

10. Annual General Meeting

- 10.1 **RailHope** shall hold an Annual General Meeting (AGM) at not more than 11 month intervals. (Financial year ends)
- 10.2 Where possible members shall be notified personally, otherwise notice will be deemed served by advertising the meetings in at least five public places giving at least 14 days' notice of the AGM.
- 10.3 The business of the AGM shall include:
- I. Receiving a report from the Chairperson of the organization's activities over the year.
 - II. Receiving a report and presentation of the last financial year's accounts from the Treasurer on the finances of the organization.
 - III. Electing a new Management Committee and considering any other matter as may be appropriate at such a meeting.
- 10.4 The quorum for Annual General Meeting shall be at least seven (7) persons of which no more than four (4) shall be committee members.

11. Amendments and Alteration of the Constitution

- 11.1 Proposals for amendments to this constitution or dissolution (see Clause 11) must be delivered to the secretary in writing. The secretary in conjunction with all other officers shall then decide on the date of a forum meeting to discuss such proposals, giving at least four weeks (28 days) clear notice.
- 11.2 Any changes to this constitution must be agreed by at least two thirds of those members present and voting at any general meeting.
- 11.3 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 11.4 Two thirds of the members shall be present at a meeting ("the quorum") before a decision to change the constitution is taken. Any annual general meeting may vote upon such a notion, if the details of the changes are set out in the notice referred to in 7.3

12. Dissolution

- 12.1 The organization may be wound up at any time if agreed by two thirds of those members present and voting at any general meeting. Any assets shall be returned to their providers, if they require it, or shall be passed to another organization with similar aims. (RailHope Africa)



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12.2 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 similar objectives. The organisation's general meeting can decide what organisation this should be

Accepted and Signed by the Founding Members:

Peter Govender:

Handwritten signature of Peter Govender in black ink, written over a blue dashed line.

Hazel Govender:

Handwritten signature of Hazel Govender in black ink, written over a blue dashed line.

Charity Schutte:

Handwritten signature of Charity Schutte in black ink, written over a blue dashed line.

Thandi Sabelo:

Handwritten signature of Thandi Sabelo in black ink, written over a blue dashed line.

Trini Kistan:

Handwritten signature of Trini Kistan in black ink, written over a blue dashed line.

Robert Lodder:

Handwritten signature of Robert Lodder in black ink, written over a blue dashed line.

Signed on this

3rd day of September 2016 at Durban