

CONSTITUTION OF EMPORIO LEGACIES FOUNDATION

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CONSTITUTION OF EMPORIO LEGACIES FOUNDATION

1.0 Name

- 1.1 The organisation hereby constituted will be called Emporio Legacies Foundation.
- 1.2 Its shortened name will be **Emporio Legacies** (hereinafter referred to as the organization).

2.0 Geographical location and operation

The Organization's Head Office shall be in Johannesburg, South Africa though the services shall be offered across the Southern African region

3.0 Mission and Vision

3.1 Vision

To join forces with communities and other organizations in order to provide root-bottom sustainable solutions to the scourge of poverty, diseases, hunger, socio economic injustice as well as environmental issues.

3.2 Mission

Inspired by the passion and belief that we are called by God to deliver leadership of service, we long to establish a network of leaders that shall implement sustainable programs which shall address the needs of mankind and the environment, thereby transforming communities across Southern Africa.

4.0 Legal status and relationship with other Organizations

The organization:

- 4.1 Shall exist as a legal entity, separate from its members.

Shall exist as a non- profit, non- political non-governmental and non-discriminational to race, age, ethnicity, gender and disability, and shall be cognizant of faith as a foundation on which it is founded

- 4.2 Shall be incorporated under the relevant laws of the Country in which its office(s) shall be located, and its membership and activities shall be international in scope.
- 4.3 Shall continue to exist even when its membership changes and there are different office bearers.

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- 4.4** Be able to own property and other possessions.
- 4.5** Shall acquire and/or seek funds/grants from and to, and cooperate with other specialized institutions or agencies in order to deliver services/goods effectively and efficiently in line with Organizational goals and objectives.
- 4.6** Shall, where appropriate, formulate or adopt additional by-laws , protocols and other legal instruments in conformity with Organizational values and principals as well as regulations in Countries of interest for optimum operation.

5.0 Objectives And Activities

- We aim to take a holistic approach towards establishment of sustainable lives, homes, communities and environments by undertaking activities that shall directly or indirectly curb such scourges as poverty, diseases, hunger, socio economic injustices as well as environmental ills across Southern Africa.
- To increase sensitization in communities on the scourge of communicable and dread diseases including TB, HIV/AIDS, Cancer, Cholera and Malaria.
- To educate, advocate and promote food security in families and communities facing socio economic challenges.
- To promote and ensure access to quality education for all from early childhood learning to tertiary education. We wish to achieve this without assault on or undermining heritage and traditional values.
- Promoting and advocating for healthy living in communities through provision of health, safety and recreation amenities.
- Provide life support services to needy people including the aged, Orphans and vulnerable children, street kids, youths and adults, homeless people, sex workers, mentally challenged as well as people with disability.
- Promoting social justice in the society in general as guided by Christian values as well as relevant legislation.
- Sensitization and advocacy on human rights.
- Advocate for environmental and wildlife conservation and respond to rising issues in order to attain a balanced ecosystem.

Sensitize and promote research as well as usage of conservative/ green energy solutions.
- Promote research and practice of conservative farming including agriculture, horticulture, animal raring and so forth.

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- Promote skills development and entrepreneurial culture and innovation in the society especially among youths, women and other economically challenged groups
- Ensure accessibility of basic ICT services to students, youth, young adults, children and other groupings.
- To fight against social ills including racism, xenophobia, gender based violence, child abuse and politically motivated violence. Identifying, Counseling, educating and caring for people and families with various socio economic challenges.

6.0 Income and property

- 6.1** The organization will keep a record of everything it owns.
- 6.2** The organization may not give any of its money or property to its members or office bearers. However, it can do so when it pays for services that a member or office bearer has given to the organization, or on other special cases/ occasions.
- 6.3** 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.

7.0 Management

- 7.1** A management/ executive committee will manage the organization. The management committee will be made up of not less than 4 persons.
- 7.2** 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 organization, they can stand for re-election into office again and again. This is so long their services are needed and they are ready to give their services.
- 7.3** If a member of the management committee does not attend three management committee meetings in a row, without having applied for and obtaining leave of absence from the management committee, then the management committee will find a new member to take that person's place.
- 7.4** The management committee will meet as frequently as may be necessary or at least 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.
- 7.5** Minutes will be taken at every meeting to record the management committee's decisions. The minutes of each meeting will be given to management committee members at least two weeks before the next

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meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the management committee, and shall thereafter be signed by the chairperson.

7.6 The organization has the right to form sub-committees. The decisions that sub-committees take must be given to the management committee. The management committee must decide whether to agree to them or not at its next meeting. This meeting should take place soon after the sub-committee's meeting. By agreeing to decisions the management committee ratifies them.

7.7 All members of the organisation have to abide by decisions that are taken by the management committee.

8.0 Powers of the Management/ Executive Committee

The management committee may take on the power and authority that it deems ideal to be able to achieve the objectives of the organization as long as it does not misappropriate the power.

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

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

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

8.4 The Organization will decide on other powers of powers and functions of office bearers.

9.0 Meetings and procedures of the committee

9.1 The management committee must hold at least two ordinary meetings each year.

9.2 The chairperson, or delegated members of the committee, can call a special meeting if they want to. But they must let the other management committee members know the date of the proposed meeting not less than 21 days before it is due to take place. They must also tell the other members of the committee which issues will be discussed at the meeting. If, however, one of the matters to be discussed is to appoint a new management committee member, then those calling the meeting must give the other committee members not less than 21 days notice.

9.3 The chairperson shall act as the chairperson of the management committee. If the chairperson does not attend a meeting, then s/he shall choose from the committee members who are present to chair that meeting. This must be done before the meeting starts.

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- 9.4** There shall be a quorum whenever such a meeting is held.
- 9.5** When necessary, the management committee will vote on issues. If the votes are equal on an issue, then the chairperson has either a second or a deciding vote.
- 9.6** Minutes of all meetings must be kept safely and always be on hand for members to consult.
- 9.7** If the management committee thinks it is necessary, then it can decide to set up one or more sub-committees. It may decide to do this to get some work done quickly. Or it may want a sub-committee to do an inquiry, for example. There must be at least three people on a sub- committee. The sub-committee must report back to the management committee on its activities. It should do this regularly.

10.0 Annual general meetings

- 10.1** The annual general meeting must be held once every year, within a period of four months after the organization's financial year.
- 10.2** The organization should deal with the following business, amongst others, at its annual general meeting:
- 10.3** Agree to the items to be discussed on the agenda.
- 10.4** Write down who is there and who has sent apologies because they cannot attend.
- 10.5** Read and confirm the previous meeting's minutes

11.0. Finance

- 11.1** An accounting officer shall be appointed at the annual general meeting. His or her duty is to check on the finances of the organisation.
- 11.2** 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.
- 11.3** Whenever funds are taken out of the bank account, the chairperson and at least one other member of the organization must sign or release the withdrawal or cheque.
- 11.4** The financial year of the organization ends on **the last day of December** of each year.
- 11.5** The organization's accounting records and reports must be ready and handed to responsible/ relevant authorities within six months after the financial year end.

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11.6 If the organization has funds that can be invested, the funds may only be invested with registered financial institutions and traceable / trusted institutions.

12.0 Auditors

The Board shall appoint an auditor or auditors who shall have the right to see all relevant accounting documents and shall make a report back to the Board of the accounts examined by them which shall state:

- a) Whether or not they have obtained all the information and explanations they have required; an
- b) Whether, in their opinion, the Balance Sheet referred to in the report is properly drawn up so as to reflect a true and correct view of the state of the Organisation.
- c) Inspection of Books of Accounts and List of Members of the Board.
The records shall be made available for familiarization to any member of the Organization during business hours.

13.0 Amendments to the constitution

13.1 The Organization may make amendments to this Constitution provided that the name shall not be changed or amended, and provided also that no such amendment or modification shall impair or prejudice the effectiveness of the prohibitions contained in this Constitution against use of the income, property and assets of the Organization for personal use.

13.2 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.

13.3 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.

13.4 No amendments may be made which would have the effect of making the organization cease to exist.

14.0 FORMATION OF BRANCHES.

14.1 Branches of the organisation may be formed with the approval of the Executive Committee and shall adopt the same constitution as that of the headquarters.

14.2 In addition, branches will not dissolve without consultation with their

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Headquarters. The Executive Committee will decide and amend rules and regulations governing the branches from time to time as it deem necessary.

14.3 When the organization closes down it has to pay off all its debts. After doing so, if there is property or money left over it may not be paid or given to members of the organisation. It may be distributed to other nonprofit organizations that have similar objectives. The organisation's management committee must decide which organizations thee may be.

15.0 Dissolution/ Winding-up of the Organization

15.1 The Board may pass a resolution to dissolve the Organisation subject to the necessary legal procedures due

15.2 The organisation shall not dissolve itself without prior consent in writing from the relevant authorities obtained upon a written application addressed to the Board and dully ratified.

16.0 Approval and Acceptance

This constitution was approved and accepted by me on_____

At a special (general) meeting held at

Signature : _____

Name : Maunda Loswayo Edwins (Mr)

Designation : Chairperson