

NACOSS CONSTITUTION

1. **Name**

The name of the organisation shall be "National Coalition for Social Services (NACOSS)" (hereafter referred to as NACOSS).

2. **Area of Operation**

The area of operation of NACOSS shall be the Republic of South Africa.

3. **Aims**

3.1 NACOSS is a coalition of organisations that provide developmental social welfare services.

3.2 It aims to –

3.2.1 Strengthen and enable member organisations to deliver services that are equitable, effective, accessible and sustainable

3.2.2 Implement strategic interventions that will promote social justice and appropriate integrated developmental social services throughout South Africa.

4. **Objectives**

4.1 To strengthen and build the capacities of members and their constituents

4.2 To be a communication, consultative, resource and information network for members and their constituents

4.3 To promote developmental social services as an appropriate response to address the needs of individuals, families, groups and communities

4.4 To facilitate joint integrated service delivery in order to meet the needs of all communities equitably

4.5 To promote minimum standards of service delivery

4.6 To identify indicators of human needs and co-operate by responding collectively with available resources to meet these needs, where possible

4.7 To influence policy, legislation and practice that impacts on social service delivery

4.8 To liaise and network with structures and bodies that impact on or promote the aims of NACOSS

4.9 To market the role of NACOSS and its members.

5. **Membership**

5.1 Organisations eligible for membership shall be any organisation with the primary aim of providing developmental social welfare services

- 5.2 Membership shall be as follows:
- 5.2.1 *Category A:* Organisations that represent the interests of community-based welfare, social services and/or development organisations at a national level in more than one (1) province.
 - 5.2.2 *Category B:* Organisations that represent the interests of community-based welfare, social services and/or development organisations or that provide social welfare services in one (1) province.
 - 5.2.3 *Category C:* Organisations that represent the interests of community-based social welfare services and/or development organisations or that provide social welfare services in a region of a province.
 - 5.2.4 *Category D:* Organisations that represent the interests of community-based social welfare services and/or development organisations or that provide social welfare services in one area of a province.
- 5.3 Membership may also be granted to networks or suchlike bodies that represent a number of social welfare service providers.
- 5.4 Applications for membership from eligible organisations shall be considered by the relevant NACOSS Standing Committee that then makes a recommendation to the Executive Committee of NACOSS for a final decision.
- 5.5 Applications from Category B, C and D organisations will be considered in terms of whether they are affiliated to an organisation that is already represented on NACOSS.
- 5.6 Membership fees and the number of votes shall be as follows:
- 5.6.1 Category A organisations shall pay 100% of the annual membership fee.
 - 5.6.2 Category B organisations shall pay 50% of the annual membership fee.
 - 5.6.3 Category C organisations shall pay 25% of the annual membership fee.
 - 5.6.4 Category D organisations shall pay 10% of the annual membership fee.
- 5.7 All members shall pay their membership fees timeously.
- 5.8 A member wishing to resign from NACOSS must give notification in writing before the end of the financial year. Any member resigning in the course of the financial year shall not be entitled to a refund of the annual membership fee or part thereof.

6. Corporate and Legal Status

NACOSS shall be a corporate body with perpetual succession and its property and identity shall be separate from that of its members and office bearers. It shall sue and be sued in the name of National Coalition for Social Services.

7. Powers

To give effect to its mission and objectives NACOSS shall -

- 7.1 enter into contracts and agreements for its benefit
- 7.2 appoint a member organisation or individual to carry out the secretarial work
- 7.3 institute and defend actions and proceedings at law
- 7.4 appoint such staff or consultants to carry out such work as is necessary and determine the conditions of service and remuneration of such staff or consultants
- 7.5 make investments, realise any investments and decide on the nature of any investments, provided that funds may only be invested with registered financial institutions defined in Section 1 of the Financial Institutions (Investments of Funds) Act, 1984
- 7.6 award grants or honoraria to member organisations or individuals
- 7.7 borrow money by means of loans and overdrafts at the most favourable interest rates if such loans and/or overdrafts are necessary for its effective functioning
- 7.8 collect and receive monies by way of grants from any governmental authority and collect and receive monies and contributions in kind by way of donations, bequests, sponsorships or in any other manner from public and private bodies, from individuals and the general public anywhere in the world, for the furthering of the aims of NACOSS
- 7.9 levy such fees and contributions from members of NACOSS as are necessary to carry out its work.

8. Meetings

- 8.1 NACOSS shall meet as often as may be decided upon by NACOSS or the Executive Committee, but not less than once a year
- 8.2 The first meeting of NACOSS in any year shall take place within the first three months of the year.
- 8.3 An extraordinary meeting of NACOSS shall be convened if requested in writing by at least one-quarter of the members.
- 8.4 The Annual General Meeting shall take place not later than four months after the close of the financial year and the Agenda shall include the following:
 - 8.4.1 Presentation and adoption of the Annual Report on NACOSS' activities during the previous year
 - 8.4.2 Adoption of the audited financial statements for the previous financial year
 - 8.4.3 Appointment of an accounting officer as required in terms of section 18 of Act 71 of 1997
 - 8.4.4 Election of a Chairperson, Vice-Chairperson and other Executive Committee members

9. **Representation**

Members are entitled to representation at meetings as follows:

- 9.1 Category A organisations: A maximum of three delegates
- 9.2 Category B organisations: A maximum of two delegates
- 9.3 Category C organisations: One delegate
- 9.4 Category D organisations: One delegate

10. **Voting**

10.1 Members are entitled to votes as follows:

- 10.1.1 Category A organisations: Ten votes
- 10.1.2 Category B organisations: Five votes
- 10.1.3 Category C organisations: Two votes
- 10.1.4 Category D organisations: One vote

10.2 In the event of an equality of votes the Chairperson shall have a casting vote.

10.3 A member organisation may dissociate itself from any decision or vote of NACOSS. Such dissociation shall be recorded in the minutes by the Secretariat.

11. **Quorum**

The presence of representatives from 50% plus one member organisation shall form a quorum.

12. **Executive Committee and Office Bearers**

12.1 An Executive Committee consisting of a Chairperson and Vice-Chairperson, Treasurer and a maximum of 4 other representatives shall be elected at the annual general meeting of NACOSS from amongst representatives of members and shall hold office for a 2 year period.

12.2 The Executive Committee and members of NACOSS have the right to assign the treasury role to a member organisation for an unlimited period of time to ensure effective long term financial management of NACOSS finances. The appointed representative of this appointed organisation will then assume the role of Treasurer of NACOSS and will take responsibility for all treasury functions.

12.3 The same person may not hold the office of Chairperson or Vice-Chairperson for more than two consecutive terms of office, unless by special resolution of all members present at the AGM.

12.4 The Chairperson and Vice-chairperson may not represent the same member organisation.

12.5 At the end of a term of office at least two of the seven Executive Committee members must be replaced to ensure ongoing renewal and growth of NACOSS.

- 12.6 The Executive Committee may appoint/ co-opt additional members with certain expertise if deemed necessary and may fill vacancies by appointing delegated representatives.
- 12.7 The Executive Committee shall deal with all matters referred to it by NACOSS as well as matters requiring attention before the next meeting of NACOSS
- 12.8 All matters dealt with in Clause 12.7 shall be reported on at the next meeting of NACOSS

13 Committees

Committees may be appointed by NACOSS from time to time and may include persons who are not necessarily delegated representatives, provided that the Convenor of a committee shall be a delegated representative.

14 Limitation of Rights and Indemnity

- 14.1 Representation on NACOSS or membership of any committee does not give the member or representative any proprietary right, title or claim to any interest in any of the property or assets of NACOSS, nor does a member by virtue of such representation or by any action taken by NACOSS incur any liability in respect of any claim made or action brought against NACOSS
- 14.2 No person may be enriched by any income or property of NACOSS except by way of payment in good faith or reasonable remuneration or honoraria to consultants, employees or volunteers for services rendered.

15. Agendas and Minutes of Meetings

- 15.1 Agendas for all meetings of NACOSS and the Executive Committee shall be prepared by the Secretariat in consultation with the Chairperson and shall be forwarded to member organisations to reach them at least fourteen days prior to the date of the meeting
- 15.2 Minutes of all meetings of NACOSS and the Executive Committee shall be prepared by the Secretariat and forwarded to all member organisations within thirty days of the holding of a meeting.

16. Administration and Finances

- 16.1 Administrative matters arising from the activities of NACOSS shall be handled by the Secretariat appointed in terms of Clause 7.2
- 16.2 The costs of administration shall be financed from membership fees, which shall be determined annually by means of a budget at the first meeting of NACOSS.
- 16.3 The Executive Committee may approve, at their discretion, the support of air tickets fees for members attending EXCO meetings or other task team/ special meetings.
- 16.4 The Treasurer shall open a current account in the name of NACOSS into which all funds shall be deposited. Any withdrawals from such account shall require the signature of two of the members of NACOSS. At least one of the signatories shall be a member of the Executive Committee and additional signatories shall be appointed by the Executive Committee at its discretion

- 16.5 Should expenditure exceed income in any year a decision shall be taken at a meeting of the Executive Committee regarding the financing of such expenditure
- 16.6 The financial year of NACOSS shall be 1 April to 31 March
- 16.7 An income-expenditure statement and balance sheet shall be prepared annually by the Treasurer and audited by auditors approved by NACOSS. Such statements shall be tabled at the annual general meeting of NACOSS after the close of the financial year
- 16.8 NACOSS shall endeavour to expend at least 75% of income received in any financial year within twelve months of the end of the financial year, provided that this shall not apply in respect of funds raised for specific capital projects accounted for in the audited balance sheet.

17. Autonomy of Member organisations

Membership of NACOSS shall in no way debar a member organisation from approaching any authority on any matter it may deem necessary, nor shall it encroach in any way on the autonomy of any member organisation.

18. Amendment of Constitution

- 18.1 This Constitution may be amended only by a two-thirds majority of members present and voting at a meeting of NACOSS
- 18.2 Written notice of the proposed amendment shall be sent out sixty days before the meeting at which the amendment is to be considered.

19. Dissolution

- 19.1 NACOSS may be dissolved by the agreement of two-thirds of its members at a duly constituted meeting
- 19.2 Notice of the intention to dissolve shall be included with the agenda of the meeting at which dissolution is to be considered and shall be given at least sixty days before the said meeting
- 19.3 Upon dissolution any assets of NACOSS shall be equally distributed among member organisations that are exempted from the payment of income tax

THIS AMENDED CONSTITUTION WAS UNANIMOUSLY ADOPTED AT A FULL MEETING OF NACOSS HELD ON 14 July 2011 AT KEMPTON PARK