



“Today’s Youth... Tomorrow’s Leaders”

CONSTITUTION

1. NAME

- 1.1 The organisation hereby constituted will be called Durban Youth Council.
- 1.2 Its shortened name will be ‘the Council’ or ‘DYC’ (hereinafter referred to as ‘the Council’ or ‘DYC’).

1.3 BODY CORPORATE

DYC shall:

- 1.3.1 Exist in its own right, separately from its members.
- 1.3.2 Continue to exist even when its membership changes and there are different office bearers.
- 1.3.3 Be able to own property and other possessions.
- 1.3.4 Be able to sue and be sued in its own name.

2. OBJECTIVES

2.1 DYC’s main objectives are:

- 2.1.1 The promotion of civic awareness.
- 2.1.2 The directing of youth in becoming more responsible citizens.
- 2.1.3 The encouragement of youth to take an active part in civic affairs.
- 2.1.4 The construction of topics of public interest, the findings of which are to be forwarded to the relevant body or authority.
- 2.1.5 Such other activities as may be consistent with these aims and objectives.
- 2.1.6 To investigate matters concerning the Commercial, Industrial, Environmental, Civic and Cultural life of the Community, and to initiate projects designated to further the interests of any section, or sections, of that community, within the aforesaid boundaries.
- 2.1.7 To make, as a project, any individual contribution to the well being of the Community or any section of its citizens or inhabitants.
- 2.1.8 To promote the welfare of persons who are handicapped, maladjusted, or in any other way warrant consideration in the Community, and to make contributions, financial or otherwise, accordingly or as is deemed proper and most viable as per the Council’s financial capacity at any given point.

2.2 DYC’s secondary objectives will be:

- 2.2.1 To work in collaboration with other organisations and bodies that mainly deals with youth development and community upliftment.

Steering Committee Chairman: Deon Botha-Richards
Contact: 083 461 1402 or deon@dyc.co.za
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- 2.2.2 Protect the interests of the Council, all its members as well as affiliated parties, companies and to organizations if any.

3. INCOME AND PROPERTY

- 3.1 DYC will keep a record of everything it owns.
- 3.2 DYC 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 Council. The payment must be a reasonable amount for the work that has been done. A member of DYC can only get money back from Council for expenses that she or he has paid for or on behalf of DYC.
- 3.4 Members or office bearers of DYC do not have rights over assets that belong to DYC.
- 3.5 Members or office bearers of DYC will not be held liable for any of the obligations and liabilities of DYC by virtue of their status as members or office-bearers of DYC. Neither will office bearers be held liable or personally responsible for 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 organization.

4. MEMBERSHIP AND GENERAL MEETINGS OF DYC

- 4.1 Membership to the DYC shall be open to only four (4) scholars in the pre matric year (Grade 11), from each high school in the Durban/ Ethekwini Area. Members shall represent the learners in their schools and membership to the DYC is free.
- 4.2 The Steering Committee is the body who shall oversee the functioning of the DYC and is responsible for all major decisions. Membership to the Steering Committee is open to all persons in good standing who are non-scholars. Any person wanting to become a member of DYC, will have to approach the Steering Committee, who reserve the right to admission.
- 4.3 DYC members must attend its annual general meetings, where members exercise their right to determine the policy (s) of DYC. 50% attendance constitutes a quorum. All decisions will only be carried forward if quorum is reached at general meetings.
- 4.4 The Steering Committee reserves to right to ask a member to resign his/ membership.
- 4.4.1 Members will lose their membership to the DYC in such instances where they act in contravention to the ethos of the DYC and the schools they represent.
- 4.4.2 The Steering Committee reserves the right to request a member to relinquish his/ membership at their sole discretion.
- 4.4.3 Any member losing his/ her membership will be granted the right of appeal. Such members may appeal in writing to the President of the Steering Committee who will at his/ her sole discretion decide to renew the benefits of membership.

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5. ANNUAL GENERAL MEETINGS

- 5.1 The annual general meeting will be held in November every year, towards the end of the DYC's financial year.
- 5.2 DYC will deal with the following business, amongst others, at its annual general meeting:
- 5.2.1 Agree to the items to be discussed on the agenda.
 - 5.2.2 Record attendance and apologies tendered.
 - 5.2.3 Read and confirm the previous meeting's minutes with matters arising.
 - 5.2.4 President's report.
 - 5.2.5 Treasurer's report.
 - 5.2.6 Changes to the constitution that members may want to make.
 - 5.2.7 Elect new office bearers.
 - 5.2.8 General.
 - 5.2.9 Close the meeting.

6. MANAGEMENT COMMITTEE (STEERING COMMITTEE)

- 6.1 A Steering Committee will manage DYC. The Steering Committee will be made up of not less than 4 members, who are the office bearers of DYC.
- 6.2 Office bearers will serve for one year, but can stand for re-election for another term in office after that. Depending on what kind of services they give to DYC, they can stand for reelection into office again and again, provided their services are needed and they are ready to give their services freely and without hesitation.
- 6.3 If a member of the Steering Committee does not attend two Steering Committee meetings in a row, without having applied for and obtaining leave of absence, the Steering Committee reserves the right to replace that member.
- 6.4 The Steering Committee will meet four times a year. A 50% attendance constitutes a quorum. All decisions will only be carried forward if quorum is reached at these meetings. All members of DYC have to abide by decisions that are taken by the Steering Committee.
- 6.5 Minutes will be taken at every meeting to record the Steering Committee's decisions. The minutes of each meeting will be given to Steering Committee members at least two weeks before the next meeting. The minutes shall be confirmed as a true record of proceedings, by the next meeting of the Steering Committee, and shall thereafter be signed by the president.
- 6.6 The president shall act as the president of the Steering Committee. In his/ her absence, the president will nominate another office bearer to chair the meeting.
- 6.7 The President, or two members of the committee, can call a special meeting if they want to, but they must let the other Steering Committee members know the date of the proposed meeting with a reasonable time frame (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.

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- 6.7 Steering Committee has the right to form sub-committees. The decisions that sub-committees take and projects/ activities of the sub committees must be given to the Steering Committee. The Steering Committee shall decide whether to agree to them on a monthly basis. By agreeing to decisions the Steering Committee ratifies them and thereby approves projects/ activities.
- 6.8 When necessary, the Steering Committee will vote on issues. If the votes are equal on an issue, then the president has the deciding/ casting vote.

7. POWERS OF DYC

The Steering 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 Steering Committee has the power and authority to raise funds or to invite and receive contributions/ sponsorships. The Steering Committee also has the power and authority to acquire and control assets that it needs to achieve its objectives.
- 7.2 The Steering Committee has the power to buy, hire or exchange property and assets at its disposal that it needs to achieve its objectives.
- 7.3 The Steering Committee has the right to make by-laws for proper management procedure, including procedure for application, approval and termination of membership.
- 7.4 Steering Committee will decide on the powers and functions of its office bearers, of which there will be a minimum of four, the office bearers having the following functions:
- 7.4.1 The President shall run and chair all meetings.
- 7.4.2 The Deputy President shall be responsible for the upkeep and maintenance of the Council, preside as president chair meetings in the absence of the president.
- 7.4.3 The Treasurer shall:
- 7.4.3.1 Control the day to day finances of DYC.
- 7.4.3.2 Make honorary payments.
- 7.4.3.3 Arrange for all funds to be put into a bank account in DYC's name.
- 7.4.3.4 Ensure that the DYC is financially sustainable and ensure that the DYC makes financially sound decisions. The Treasurer shall also ensure that the DYC journal is transparent and accurate and proper records of all the finances are kept.
- 7.4.3.5 Ensure that an accounting officer shall be appointed at the annual general meeting. His/ her duty is to audit and check on the finances of DYC.

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7.4.3.6 Ensure that whenever funds are taken out of the bank account, the president and only one other member of DYC will sign the cheques or authorize the payment.

7.4.3.7 DYC's accounting records and reports will be ready and handed to the Director of Nonprofit Organisations within six months after the financial year end.

7.4.3.8 The Organisations financial transactions shall be conducted by means of a banking account.

7.4.1. The Secretary shall:

7.1.4.1. record and circulate meeting minutes,

7.1.4.2. arrange agendas of meetings and handle all incoming and outgoing correspondence,

7.1.4.3. organise guest speakers,

7.1.4.4. secure meeting venues,

7.1.4.5. maintain order and decorum within the meetings,

7.1.4.6. act, in conjunction with the President, as Legal counsel in matters concerning procedure.

7.5 Democratic elections will be held on an annual basis in October and all members of the Steering Committee are invited to run for office. Candidates wishing to run must be nominated and seconded and then elections will determine positions in office.

7.6 The Steering Committee may request an office bearer to relinquish his/ membership at their sole discretion. Office bearers will lose their membership in such instances where they act in contravention to the ethos of the organisation, or:

7.6.1 Found guilty in a court of law for committing a criminal offence,

7.6.2 Smoke or abuse drugs or alcohol at any DYC meeting/ activity,

7.6.3 Excessive talking or misbehaving during the meeting such that the meeting is disturbed,

7.6.4 None attendance projects or meeting deadlines,

7.6.5 None arrival for projects having committed yourself to,

7.6.6 Defacing the building/ meeting place or any asset (s) of the DYC ,

7.6.7 Possession and sale of any illegal narcotic substance.

7.7. Any member losing his/ her benefits as an office bearer will be granted the right of appeal. Such members may appeal in writing to the President of the Steering Committee who will at his/ her sole discretion decide to renew the benefits of membership and term of office.

8. FINANCE

8.1 The financial year of DYC runs from the 1st November to the 31st October each year.

8.2 DYC will not be investing any money or making any investments.

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8.3 DYC funds may be used to further its aims of community upliftment and youth development. Funds may only be allocated to that effect and further the aims of the DYC.

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 at least two thirds of the members who are present at the annual general meeting or special general meeting. Members must vote at this meeting to change the constitution.

9.2 50% of the members must be present at a meeting (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.

9.3 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.

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

10. DISSOLUTION/WINDING-UP

10.1 DYC may close down if at least 50% of the members present and voting at a meeting convened for the purpose of considering such matter, are in favour of closing down.

10.2 When DYC 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 DYC. It should be given in some way to another nonprofit organisation that has similar objectives. The organisation’s general meeting will decide what organisation this should be.

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I, the undersigned, hereby declare that I understand the above information and hereby affix my signature as verification of agreement and acceptance.

Signed on this _____ day of the month of _____, year _____ at _____.

Councillor

Parent / Legal Guardian