



Constitution



Nicole Baker, Stephanie Esmond, Konstantinos
Georgiadis

December 17th, 2014

Abstract: This document contains a constitution the team had drafted up with considerable input from the savings group members. This document provides valuable insight to the savings group as well as including the necessary clauses as laid out by the Department of Social Development. This document is an excellent example for any people looking to draft up similar literature or looking to create a similar document.

Authors: Nicole Baker, Stephanie Esmond, Konstantinos Georgiadis, Reed Gontarek

WPI Project Advisors: Steve McCauley and Scott Jiusto

Series Editor: Scott Jiusto

Project Partners: Community Organisation Resource Centre, Langrug community

Project Website: For much more on the project from which this report derives, please see <http://wp.wpi.edu/capetown/projects/p2014/wash-up-business/>

CTPC Publication Date: December, 2014

About the WPI CTPC Community Resources Series

Community Resources publications are designed to assist residents, community-based and non-profit organizations, local government, students, educators and others working toward sustainable community development in disadvantaged communities in South Africa and elsewhere.

Documents may be downloaded at <http://wp.wpi.edu/capetown/resource-library/>. If you have inquiries or would like permission to reproduce, republish, or substantially adapt the content of this document for other non-profit purposes, please contact us at ctpc@wpi.edu.

The Cape Town Project Centre (CPTC) is part of the Worcester Polytechnic Institute (WPI) Global Projects Program offering WPI students project opportunities in two dozen centers around the world. Each year, about 26 CTPC third-year undergraduate students from our US university work closely in small groups with local Cape Town organizations and communities on issues posed by our local partners. This report is one of a number of project outcomes produced during two months of fieldwork in Cape Town. See the CTPC website for more information: <http://wp.wpi.edu/capetown>.

Copyright © WPI 2014

Constitution of the Sidiniwe Savings Group

1. Name

1.1 The organisation being constituted will be known as the Sidiniwe Savings Group

1.2 Body Corporate

This organisation shall:

- Exist as its own entity, separate and regardless of membership
- Continue to operate despite any changes in membership that may occur during the duration of the Sidiniwe Savings Group
- This group will have the ability to obtain and possess assets in the name of the Sidiniwe Savings Group which, will be the groups and no member shall have ownership of them.
- This group will stand as its own legal entity, taking responsibility and being able to face accusers when/if that time arises.

2. Objectives

- (a) The Sidiniwe Savings group's main purpose shall be to save money from member contributions for community upgrading, either current facilities or investing in new projects, in order to increase the standards of living and livelihoods of the residents within the Langrug community.
- (b) The Sidiniwe Savings group's secondary goals include expanding membership, gaining as much community involvement from the Langrug community members as possible, and investing and being involved with projects that address the community's most vital and pressing needs and issues.

3. Income and Property

- 3.1 The organisation will keep detailed ledgers of the money collected from the members as well as any other money gained from additional revenue streams. This process will be handled by the treasurer and will be more clearly outlined in section 5.12.
- 3.2 The members of this group who are elected to hold, office bearing or otherwise, positions will not receive benefits such as property or additional money as benefits for having these positions.
- 3.3 A member may only receive money from the Sidiniwe Savings group if said member has spent some of their own money on items necessary to the group.
- 3.4 In order for a member's purchase to qualify for reimbursement from the group, the member will need to present a receipt to the group at the monthly group meeting. If there is not a group meeting within a week of the purchase, it will be up to the management committee to determine if the member is qualified for reimbursement.
- 3.5 Members who are elected to positions within the Sidiniwe Savings group have rights over neither any assets the group has obtained before they were elected nor any assets that the group may obtain within the term of the member.

4. Membership and General Meetings

- 4.1 In order to become a member of the Sidiniwe Savings group, a R200 new member fee must be paid in to the savings group bank account. This fee must be paid in full before

membership is awarded and this fee is not up to negotiation unless circumstances provided to the entire group suffices for additional discussion.

- 4.2 To be considered an active member of this savings group, each member must contribute R2 daily, R10 weekly, or R50 by the end of each month. This will be recorded and monitored by the collector whose responsibilities will be outlined in section 5.13.
 - 4.3 There shall exist another method in which to save which will be for personal savings. This system will be individual members saving for personal items which they want to purchase. This system will be monitored in the member's savings books and may have a system worked out with the treasurer by which to save for their individual goals. In doing this a member must declare to the treasurer what they are saving for and must present their plan to them.
 - 4.4 When a member wishes to withdraw the money they have individually saved, they must request this during the monthly meeting and get approval from all signatories as well as members by showing them the savings book as proof that their account holds enough money for this transaction and that they are in good standing with the project savings account.
 - 4.5 If an active member is unable to contribute the R50 in a given month, they must notify all members of the Sidiniwe Savings group during the monthly meeting. Along with this notification, they must include valid reason/s for why it was not possible to make the payment this month as well as a promised repayment date within the next 30 days. It will be up to the group's discretion whether this reason is legitimate. If the group does not find the reason/s valid, the individual is liable to further fines as well as possible termination.
 - 4.6 In the case of extended absence from the savings group, no matter the reason, that member is required to notify the group at their monthly meeting either in person or in writing of why they are leaving and when they will be returning to Langrug. Upon returning to Langrug, that member must present the group with a reasonable repayment plan. The member will have to agree upon a repayment date with the group. There is no specified limit to the amount of time a member may be gone, given all payments are repaid in full. If the member does not repay the amount in full in the agreed upon time frame, that member is liable to further fines and possible termination.
 - 4.7 If a member is in violation of the agreements set forth in this section or does not make the R50 contribution for three consecutive months, they will be liable to termination. If a member is guilty of any of these violations, the group may decide by majority vote to terminate the member. The savings group also holds the right, by majority vote, to terminate any member they view as detrimental or unfit for membership.
5. Management
- 5.1 The Sidiniwe Savings group's management structure will be made up of 5 office bearing positions including Chairperson, Coordinator, Secretary, Treasurer, and Collector
 - 5.2 For each position, nominations will be held. It is possible for a member to either be nominated by another member or themselves if they so choose.

- 5.3 In order for a member to be elected, they must receive the majority vote from the rest of the savings group. If there are more than two candidates and none receive the majority of votes, the 2 top vote receivers will run in an immediate second ballot while those who received less votes will be eliminated. In this second election, the members may only choose between the two running against each other and will not be permitted any write in votes.
- 5.4 If once the election is narrowed down to two candidates and no majority is reached, there shall be successive rounds of ballots with general discussion between each round until a majority is achieved for one of the candidates.
- 5.5 These positions will serve a term of two years. There is no limit on the amount of terms a member can run for at any given position.
- 5.6 A member may not hold more than one position in this group at a time.
- 5.7 Elections will occur at the first meeting of each calendar year in January on a bi-annual basis.
- 5.8 In the event of a leave of absence by any of the elected positions, an election will be held in order to fill the position until that member returns.
- 5.9 In the event of a membership termination of one of the office bearers, a letter of resignation must be written by the former member and an immediate election would take place in order to fill the office. This election would be for a member to fill in for the remaining duration of the former member's office. (Ex. If a member is terminated in the January the year after being elected, the newly elected member would only serve until the next January as to not confuse the timing cycles of positions and grant continuity to the group.)
- 5.10 The Chair person's responsibilities shall include leading discussions in the meetings, opening and closing the meetings, facilitating meetings, being a signatory on the bank account and keeping the monthly meetings to an orderly fashion.
- 5.11 The Coordinator's responsibilities shall include scheduling meetings, being responsible for good general body attendance, and overseeing the other elected positions as well as facilitating the communication between office bearers.
- 5.12 The Secretary's responsibilities shall include taking attendance at the monthly meeting of members, making an agenda for each monthly meetings covering topics important to the group, being a signatory on the bank account and taking minutes for the monthly meetings.
- 5.13 The Treasurer's responsibilities shall include keeping a detailed record of all contributions made by the members or otherwise, to be responsible for the bank account, having the financial records in their possession, being a signatory on the bank account and overseeing the Collector. This position will control the day to day finances of the group as well as deposit all contributions from members into the Sidiniwe's Savings group's bank account.
- 5.14 The Collector's responsibilities shall include collecting the monthly contributions from each member and reporting what was collected to the Treasurer.

- 5.15 In order to have quorum to make decisions or vote on matters pertaining to the group, there must be 75% of members in attendance. If this number is a fraction, this number will be rounded up to the nearest whole number.
- 5.16 The minutes taken by the Secretary at every meeting will document any business conducted within the group such as voting and project proposals. These minutes will be available to every member upon request.
6. Powers of the Organisation
- 6.1 The management committee has the right to represent the group's best interest and appear before governing bodies in order to generate further funds for the group.
- 6.2 The chair person, the treasurer, and the secretary will be the signatories on the bank account. When the term of each of these positions change, so will the signatory title that is associated with them.
7. Meeting and Procedures
- 7.1 The Sidiniwe Savings group will convene on a monthly basis.
- 7.2 The Chair person will be responsible for opening and closing these meetings.
- 7.3 These meetings are mandatory and every member is expected to attend barring extenuating circumstances.
- 7.4 If a member must miss a meeting, they must give advanced notice to the Secretary including a reason why. Once arriving at the meeting, the Secretary will present the reason to the group in order for the group to determine the validity as a consensus.
- 7.5 If that member's reason/s are deemed unjustified or there is no prior warning given, that member is subject to a R10 fine that will be directly contributed to the Sidiniwe Savings group bank account. This payment will be in addition to the member's monthly contribution but, must be paid by the end of the month barring extraneous circumstances. If the member will not be in Langrug in order to pay this fine, refer to section 4.3.
- 7.6 If the member has some extenuating circumstances barring them from notifying the group or secretary, they are able to bring up the reasons at the next meeting to be judged and determined if they are justified. The group will decide if the member's reason is deserving of this special treatment.
- 7.7 If a member is twenty minutes or later to the monthly meeting, they will be subject to a R10 with the same conditions outlined for the fine in section 6.4.
- 7.8 During these meetings, the members will be able to present new project and upgrading ideas for facilities in the community. In doing this, members will come with a detailed report being able to accurately describe what funds or actions will be required of the group in order to take part in these projects. Once these projects have been presented, the group will vote on which project/s they would like to go forward with. In order to fully proceed with a project, a majority vote of all members must be obtained for said project. When a project gets approved, the member who presented it will become the project coordinator and work with all parties involved to ensure proper progress is being made and to see the project to fruition.

- 7.9 For no reason will loans be granted to members or non-members from the savings group bank account.
- 7.10 This group's first fiscal year will end on 31 December 2015. It will end annually on December 31 of each year going forward.
- 8. Changes to the Constitution
 - 8.1 In order to make changes or amendments to the constitution, it must be proposed to all members at a monthly meeting. This idea will go to a general discussion which will lead to a vote. If the vote comes back unanimous, the amendment may be implemented and the constitution may be changed permanently.
 - 8.2 Any member has the ability to propose changes to the constitution.
- 9. Dissolution of the Sidiniwe Savings Group
 - 9.1 If a meeting is called for the sole purpose of dissolving the group based on the accomplished objectives of the group, there may be a general discussion to dissolve the group.
 - 9.2 This vote would need to include all active members including those on leaves of absences.
 - 9.3 If this vote comes back unanimous to dissolve the group, the group will be dissolved.
 - 9.4 If the group is dissolved, the remaining balance in the bank, after settling debts and any other outstanding balances, will be returned to the members based on what they have already contributed.