



**INTOUCH YOUTH DEVELOPMENT & COMMUNITY JUSTICE**

**Old Multi-Purpose Centre**

**Ext.1 \_ Orange Farm \_ Johannesburg \_ Gauteng**

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## **Constitution**

### **1. Name**

1.1. The organization hereby constitute will be called: -

**INTOUCH YOUTH DEVELOPMENT AND COMMUNITY JUSTICE** referred herein as **INTOUCH**.

### **1.2. Body Corporate**

The organization shall:

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

## **2. Objectives**

### **Objectives:**

#### **Address Social Determinants of Health:**

- **Economic Stability:** Promote skills development, entrepreneurship, and livelihood support for financial independence.
- **Education and Information Access:** Improve access to education and vital information, especially for vulnerable and excluded populations.
- **Food Security:** Advance sustainable agriculture, nutrition education, and hunger-relief initiatives to ensure access to nutritious food.
- **Healthy Living Environments:** Foster safe, healthy environments that support mental, emotional, and physical wellbeing.

**Promote Community-Oriented Approaches and Advocacy for Equity:**

- **Community Mobilization:** Engage community stakeholders through participatory processes that build collective agency and shared responsibility.
- **Grassroots Advocacy:** Strengthen the voices of grassroots communities through advocacy, collaboration, and inclusive engagement with local and national leaders.
- **Social Justice and Equity:** Advocate for social justice, human rights, and equitable policies that bridge the gap between communities and institutions.

#### **Confront Internal Stigma, Break Taboos, and Correct Misinformation:**

- **Tackle Stigma:** Address stigma around mental health, gender-based violence, HIV/AIDS, disability, and other socially taboo subjects.
- **Healing-Centered Spaces:** Create spaces where individuals can share experiences, learn, and heal in a supportive environment.
- **Culturally Responsive Education:** Provide accurate, culturally sensitive information to dispel myths and promote informed decision-making.

#### **Enhance Holistic Community and Youth Empowerment:**

- **Awareness and Access:** Raise awareness about development opportunities and available resources within communities.
- **Community Mobilization:** Support individuals in recognizing their collective power and responsibility in improving their own quality of life.
- **Self-Improvement and Leadership:** Offer platforms for self-improvement, leadership development, and civic engagement, fostering personal growth and societal contribution.
- **Positive Alternatives for Youth:** Provide positive alternatives to crime, substance abuse, and boredom through creative, educational, and recreational programs.
- **Mentorship and Support:** Encourage positive attitudes, personal transformation, and behavioral change through mentorship, psychosocial support, and life skills training.
- **Comprehensive Support Network:** Build and strengthen a network of services, partners, and programs that provide holistic support to individuals in need.
- **Career Development and Innovation:** Engage youth in career guidance, reading clubs, digital hubs, and innovation programs to facilitate job seeking, learning, and personal growth.
- **Harm Reduction Programs:** Develop harm reduction initiatives to address substance abuse and other risk factors affecting youth and communities.

### **3. Income and property**

The organization will keep a record of everything, it owns. The organization 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 organization. The payment must be a reasonable amount for the work that has been done. A member of the organization can get money back from the organization for expenses that she or he has paid for or on behalf of the organization. Members or office bearers of the organization do not have rights over things that belong to the organization.

### **4. Membership Policy and Governance Statement**

Individuals seeking membership in the organization must formally submit their request to the Management Committee. The Management Committee, entrusted with safeguarding the integrity and values of the organization, reserves the right to approve or decline any membership application at its sole discretion. Once admitted, members are expected to actively participate in the governance of the organization. Attendance at the Annual General Meeting (AGM) is both a duty and a privilege of membership. The AGM serves as the primary forum through which members collectively exercise their right to influence and determine the strategic direction and policy of the organization, ensuring its mission and objectives are upheld through

democratic engagement.

## **5. Governance and Management Structure**

The organization shall be governed by a Management Committee consisting of no fewer than five members, who serve as the office bearers. Office bearers shall serve a one-year term and may be re-elected indefinitely, provided their contributions remain valuable and they are willing to continue serving. Regular attendance and accountability are essential. Any committee member who misses three consecutive meetings without formally obtaining a leave of absence will be replaced at the discretion of the committee. The Management Committee shall meet at least once a month. A quorum, constituted by at least half of the members, is required for any decisions to be valid. Minutes will be recorded at each meeting and circulated to committee members no later than two weeks prior to the following meeting. These minutes must be confirmed and signed by the chairperson as an accurate record at the next meeting. The organization may establish subcommittees as needed. All decisions made by subcommittees must be submitted to the Management Committee for approval at its next meeting. Once ratified, these decisions become binding. All members of the organization are expected to uphold and abide by the decisions made by the Management Committee.

## **6. Powers of the Organization**

The Management Committee is vested with the authority to exercise all powers necessary to fulfil the objectives outlined in Section 2 of this Constitution, provided such powers are exercised in full compliance with applicable laws and regulations. The Committee is empowered to raise funds, solicit donations, and receive contributions from any lawful sources in pursuit of the organization's aims. However, the responsibility for the allocation and distribution of all funds and contributions rests solely with the Chief Executive Officer (CEO). Furthermore, the CEO shall determine the specific roles, powers, and functions of the office bearers, ensuring that all operational responsibilities are aligned with the strategic direction and priorities of the organization.

## **7. Meetings and Procedures of the Management Committee**

The Management Committee shall convene no fewer than two ordinary meetings each calendar year to oversee the governance and strategic direction of the organization. A special meeting may be called by the Chairperson or by any two members of the Committee. In such cases, all Committee members must be given written notice of the proposed meeting date no less than 21 days in advance. This notice must also include the agenda or key issues to be discussed. If the agenda includes the appointment of a new Committee member, a minimum of 30 days' notice must be provided to all Committee members. The Chief Executive Officer (CEO) shall serve as Chairperson of the Management Committee. Should the Chairperson be absent from a meeting, those Committee members in attendance shall, prior to commencement, elect a Chairperson from among themselves to preside over that meeting. A quorum must be present for any meeting to proceed and for decisions to be valid. In the event of a tied vote on any matter, the Chairperson shall exercise a casting or deciding vote. Minutes of all Committee meetings must be accurately recorded, securely stored, and made readily available for consultation by Committee members. These records serve as an official account of the Committee's deliberations and decisions. The Management Committee may, when deemed necessary, establish one or more sub-committees to expedite specific tasks or conduct focused inquiries. Each sub-committee must comprise at least three members and is accountable to the Management Committee. Sub-committees are required to report their activities and findings to the Management Committee on a regular basis.

## **8. Annual General Meetings**

The Annual General Meeting (AGM) of the organization shall be convened once every year, toward the end of the organization's financial year, and shall take place between **31st March and 31st October** of the same year. Notice of the AGM must be issued to each registered member at least **fourteen (14) days** prior to the



scheduled date. This notice may either be delivered in writing to each member's registered address or published in a widely circulated newspaper within the Johannesburg district, no later than fourteen days before the meeting. The Chairperson of the Management Committee shall preside over the AGM. In the Chairperson's absence, the Vice-Chairperson shall assume this role. If neither is present, the members in attendance shall elect a Chairperson to preside for the duration of the meeting.

The following matters, among others, shall be addressed at the Annual General Meeting:

- Confirmation and adoption of the agenda.
- Recording of attendees and formal apologies received from absent members.
- Reading and approval of the minutes of the previous AGM, including discussion of matters arising.
- Presentation of the Chairperson's annual report.
- Presentation of the Treasurer's financial report.
- Consideration and adoption of proposed amendments to the Constitution, if any.
- Election of new office bearers.
- General business.
- Closure of the meeting.

**Special General Meetings** may be convened by the Secretary at the instruction of the Management Committee or upon receipt of a written requisition signed by at least **six (6)** members of the organization. Such requisition must clearly state the nature of the business to be discussed. Notice of a Special General Meeting must be sent to each member's registered address **at least seven (7) days** in advance and must specify the business to be transacted. The Chairperson or, in their absence, the Vice-Chairperson shall preside. If both are unavailable, a Chairperson shall be elected by those present. A quorum for all General Meetings shall consist of at least **four (4)** members. These meetings may only transact business for which proper notice has been given, unless the meeting resolves otherwise by unanimous consent.

## **9. Legal Nature of the Organization**

The organization shall exist as a distinct legal entity with **perpetual succession**, capable of entering into contracts, holding property, and conducting all lawful activities necessary to achieve its objectives. As a juristic person, it shall continue to exist independently of changes in its membership or leadership. All property, assets, and income acquired by the organization shall be held and managed for the **exclusive benefit of the community** it serves. No portion of its income or assets shall be distributed to any member for personal gain. However, the organization may, in **good faith and with proper authorization**, remunerate any member for **legitimate services rendered** in furtherance of its objectives. The legal and operational structure of the organization is expressly intended to ensure integrity, accountability, and alignment with its founding purpose.

## **10 Executive Powers of the Visionary/Chairperson/Managing Director/CEO**

The Visionary/Chairperson/Managing Director (MD)/Chief Executive Officer (CEO) shall serve as the principal executive authority of the organization and shall possess the following powers and responsibilities:

- **Presiding Authority:** He/she shall serve as the **President of both the Disciplinary Committee and the Appeal Committee**, holding the final authority in all disciplinary and appeal matters within the organization.
- **Personnel Authority:** He/she shall have the exclusive power to **approve all appointments** within the organization and may, at their discretion, **hire or dismiss** any member whose conduct is deemed inappropriate, unethical, or damaging to the integrity of the organization.
- **Contractual and Financial Authority:** He/she may approve and execute **any transaction or contractual agreement** deemed to be in the best interest of the organization, without the requirement of prior consultation or approval by the Management Committee or Board, provided such actions comply with the law and uphold fiduciary responsibility.

- **Founding Leadership:** As the **Founding Visionary and Leader** of the organization, he/she holds a permanent and irreplaceable position, **not subject to removal or vote**, so long as his/her legal standing remains in good order under the laws of the Republic of South Africa.
- **Strategic Partnerships:** He/she is solely responsible for the **development, validation, and authentication** of all official partnerships, affiliations, and external organizational contacts.
- **Financial Stewardship:** He/she holds the authority to **apply for financial instruments**, including loans, on behalf of the organization, and shall **always serve as a primary signatory** on such transactions, alongside at least one other authorized signatory.

## 11. Financial Governance and Responsibilities

The organization shall appoint an **Accounting Officer** at the Annual General Meeting (AGM), whose primary responsibility shall be to **audit and review** the financial activities of the organization to ensure transparency, accuracy, and compliance with relevant financial regulations. The **Treasurer** is entrusted with the day-to-day management of the organization's finances. The Treasurer is responsible for ensuring that all organizational funds are deposited into a bank account held in the name of the organization, and for maintaining accurate, up-to-date financial records. The Treasurer must also ensure that funds are withdrawn from the bank account only with the **authorized signatures** of the **CEO/Chairperson** and one designated **bank signatory**. The organization's **financial year** shall conclude on **31st March** each year, and the **accounting records and reports** must be completed and submitted to the **Director of Non-profit Organizations** within **six months** following the financial year-end. In the event that the organization holds surplus funds, these may be **invested in registered financial institutions**, as outlined in Section 1 of the **Financial Institution (Investment of Funds) Act 1984**, or in **securities listed on a licensed Stock Exchange**, in compliance with the **Stock Exchange Control Act 1985**. The organization is authorized to consult with various banks and financial advisors to determine the most beneficial strategies for managing and investing its funds. Additionally, the **CEO** shall appoint an **Executive Finance Administrator** to oversee the day-to-day financial operations of the organization. This individual shall ensure that all funds are properly deposited into the organization's designated bank account and that accurate financial records are maintained at all times.

The Executive Finance Administrator shall be responsible for the following:

- Managing the day-to-day operations of the office.
- Ensuring that proper financial records are kept and submitted to the management committee regularly.
- Submitting periodic financial reports for review.
- Serving as an **ex officio, non-voting member** of the **Executive Committee**, providing financial insight and guidance.

## 12. Amendment of the Constitution

The Constitution of the organization may be amended through the adoption of a resolution, which must be **agreed upon and passed** by a **two-thirds majority** of members present at the **Annual General Meeting (AGM)** or a **Special General Meeting** specifically convened for this purpose. To effect such an amendment, a quorum of at least **two-thirds of the membership** must be present at the meeting, and the proposed changes must be clearly set forth in a **written notice** circulated to all members no less than **fourteen (14) days** prior to the meeting. This notice shall detail the proposed amendments and specify the matters to be discussed and voted upon. At the meeting, members shall vote on the proposed changes, and in the event of any disputes or ambiguities, the **CEO**, as the **visionary leader** of the organization, shall have the **final authority** in determining the outcome. It is explicitly understood that no amendment shall be made that would result in the

**dissolution** or **termination** of the organization's existence. Any proposed changes that would undermine the continued operation or legal standing of the organization shall be considered invalid.

### 13. Dissolution of the Organization

The organization may be dissolved if a **two-thirds majority** of the members present and voting at a meeting specifically convened for this purpose agrees to the dissolution. However, the **CEO**, in their capacity as the visionary leader of the organization, shall have the **final authority** in any decision regarding the dissolution. In the event of a resolution to dissolve, the organization's **General Meeting** shall determine the manner in which the dissolution is to proceed, including decisions regarding the distribution of any remaining assets, liabilities, and the future direction of the organization, in accordance with applicable legal and regulatory frameworks.

### Adoption of the Constitution

This Constitution of **INTOUCH YOUTH DEVELOPMENT AND COMMUNITY JUSTICE** was duly approved and adopted by the members at a General Meeting held at the **Intouch Youth Centre**, located at the **Old Multi-Purpose Centre, Ext. 1, Orange Farm, Johannesburg, Gauteng**.

Signed at: Intouch Centre

Date: 01 April 2025

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

