CONSTITUTION
OF THE
KWAZULU-NATAL CHRISTIAN COUNCIL

PREAMBLE
The KwaZulu-Natal Christian Council or KZNCC, is a fellowship of Churches, Christian organizations and Regional Councils which confess Jesus Christ, both human and divine, as God and Saviour according to the Holy Bible and therefore seek to fulfil their common calling to the glory of God, Father, Son and Holy Spirit: Creator, Redeemer and Sanctifier.

1. Name:
The name of the association shall be the KwaZulu-Natal Christian Council (KZNCC).

2. Legal Status
2.1. The legal status of the KZNCC is that of an autonomous body having perpetual succession and legal existence independent of its members. The KZNCC is entitled to sue and be sued in its own name, no members having the right to any of its assets or liability in respect of any of its liabilities.
2.2. The KZNCC is the official affiliate member of the South African Council of Churches (SACC) in KwaZulu-Natal.

3. Objects:
The principal objects of the KZNCC are:
3.1 To help Churches and Christian organizations wherever possible in their evangelising task and mission.
3.2 To enable and work with Churches, Christian and community organizations to fulfill our common vision.
3.3 To give expression to the Lordship of Christ over every aspect and area of human life by promoting the spiritual, intellectual, social and physical welfare of all people which, in the present context of the KZNCC will specifically include:
   3.3.1 Promotion of respect for the sanctity of human life.
   3.3.2 Alertness to environmental issues that help develop a reverence for God’s creation.
   3.3.3 Prophetic action for justice and the transformation of society.
   3.3.4 Economic development, reconstruction and empowerment especially for those who are, or have been, most excluded and abandoned.
   3.3.5 Creation of a culture of tolerance, shared creative responsibility and accountability, as well as healing, reconstruction and peace.
3.4. To give expression to ecumenism, where appropriate, by witnessing to the unity of the churches in the province through occasional common services, Bible studies, prayer meetings, pastoral care initiatives and theological discussions.
3.5 To co-operate with people of other faiths and persuasions on issues of common concern.

4. Governance
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4.1. The area of operation shall be the province of the KwaZulu-Natal as described in the Constitution of the Republic of South Africa Act, No 200 of 1993 (as amended) and the province shall be comprised of the following Regional Councils, as detailed in Annexure 1.

4.2. The KZNCC consists of member Churches, Christian Organizations and Regional Councils whose application for membership has been accepted and who adhere to this Constitution.

5 Management
The control and governance of KZNCC shall be vested in the following:

5.1. The KZNCC Assembly;
5.2. The KZNCC Council;
5.3 The KZNCC Executive Committee;
5.4 The KZNCC Management Committee;
5.5. The following KZNCC Sub-Committees:
   5.5.1. Sub-Committee on Human Resources;
   5.5.2. Sub-Committee on Constitutional Matters;
   5.5.3. Sub-Committee on Finances.

6. Duties and Powers of the KZNCC
In order to give effect to its objects the KZNCC shall have the following powers:

6.1 To initiate and promote consultations, negotiations and joint action by representatives of Churches and Christian organizations in KwaZulu-Natal in any matter bearing upon the welfare and witness of the church.

6.2 To promote fellowship and co-operation among Churches, Christian and community organisations by creating opportunities of different traditions to pray, plan and act together in fulfilment of their common calling to witness in word and deed to justice, truth and love.

6.3 To liaise with Councils of Churches, Christian Councils and Churches, Regional Councils and Christian organizations within South Africa.

6.4 To promote and encourage the study of all matters pertaining to the unity and mission of the Church.

6.5 To make available information and resources in regard to social and other issues affecting the Church and society.

6.6 To bear witness to Christian principles and standards in matters relating to the welfare of the people especially of the province and take such actions and to make such representations as are consonant with Christian convictions and social responsibility.

6.7 To work for a just social order in South Africa consistent with the Gospel of Jesus Christ.

6.8 To initiate, encourage and promote evangelistic and educational programmes and activities, including publishing and broadcasting, in furtherance of the work of the KZNCC.

6.9 To establish registered companies and voluntary associations as may be necessary to give effect to the objects of the KZNCC.

6.10 To co-operate with and affiliate to Christian and other bodies who share the objects of the KZNCC and to make grants and assistance to them as may be deemed appropriate.

6.11 To receive affiliation fees, donations, grants and requests, to raise funds and/or invest income, for the furtherance of the objects of the KZNCC.

6.12 To acquire and dispose of by purchase, donation, lease, exchange, or any other means, any immovable property and/or movable assets for use in facilitating the objects of the KZNCC. Any such property and/or assets acquired shall be registered in the name of the KZNCC.

6.13 To maintain, insure, amortise, lease, develop, demolish or abandon any asset.

6.14 To borrow money for the furtherance of the KZNCC’s objects, to mortgage and/or pledge any property or security owned by the KZNCC and to act in any manner necessary to give effective security for repayment of such loans.

6.15. To make loans, either secured or unsecured, to persons, Churches, other bodies and organizations for purposes consonant with the objects of the KZNCC. Such loans shall require the prior approval of the Executive Committee.

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6.16 To engage in legal proceedings.
6.17 To employ persons for the fulfilment of the KZNCC's objectives.
6.18 The KZNCC may invest funds available for investment only with registered financial institutions as defined in Section 1 of the Financial Institution (Investment of funds) Act, 1984 and in securities listed on a licensed stock exchange as defined in the Stock Exchanges Control Act, 1985. Provided that where shares other than shares listed on a licensed stock exchange have been donated or bequeathed to the KZNCC, such shares may continue to be held by the KZNCC until the KZNCC considers it appropriate to realise such shares.

7. Membership
7.1 Upon application to the KZNCC, the Churches and Christian organizations in the province may be admitted to one of the following categories of membership of the KZNCC:

7.1.1 Full Members:
7.1.1.1 Christian Churches which affirm the following basis of membership:
“That we confess the Lord Jesus Christ as God and Saviour according to the Bible, and therefore seek to fulfil our calling to the Glory of one God, Father, Son and Holy Spirit: Creator, Redeemer and Sanctifier”.
7.1.1.2 Christian organizations or associations of the Churches which affirm the basis of membership.
7.1.1.3 Regional Councils which affirm the basis of membership.

7.1.2 Observer Members:
Christian Churches and organizations which are sympathetic to the aims and work of the KZNCC and who affirm the basis of membership shall make applications for this category of membership on an annual basis for a maximum period of three years.

7.2 Membership fees:
The KZNCC Council Meeting shall determine the fees payable by each category of membership on the recommendations of the Executive.

7.3 Termination of Membership:
7.3.1 If a member fails to pay the required affiliation fee in 6 months, it will be required to give an explanation for this failure.
7.3.2 If a member fails to pay the required affiliation fee for one year its membership may be suspended by the Executive or terminated by the KZNCC Council Meeting.
7.3.3 A member may withdraw from the KZNCC by written notice to the Chief Executive Officer but remains liable for its financial obligations to the KZNCC for that year.
7.3.4 The Executive Committee may temporarily suspend the membership of any member pending the next meeting of the KZNCC Council.
7.3.5 The KZNCC Council Meeting may, by resolution passed by not less than 75% of the representatives present, terminate the membership of any member.

8 The KZNCC Provincial Assembly
Every third year there shall be a Provincial Assembly which will discuss specific topics, general issues and give guidelines in an advisory capacity to the KZNCC Council Meeting and the KZNCC Executive Committee.
8.1 The KZNCC Provincial Assembly shall consist of: Official delegates sent by member churches, Christian organizations and Regional Councils in KwaZulu-Natal:
8.1.1 The head of each full member church or Christian organization or her/his deputy as determined by that member.
8.1.2 In addition, full member churches and Christian organizations with a membership in the Province of:
8.1.2.1 Up to 10 000, one additional representative

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8.1.2.2 Between 10 000 and 20 000, two additional representatives.
8.1.2.3 More than 20 000, four additional representatives.
8.1.2.4 For each local Christian Council affiliated to the Council, two representatives.
8.1.2.5 For observer members, two representatives chosen from the entire number of observer members.
8.1.3. The names of delegates, and of an alternate for each delegate, shall be submitted in writing by the head of the Church, Organisation or Regional Council to the Chief Executive Officer not later than fourteen (14) days before the date of each tri-annual KZNCC Provincial Assembly.
8.1.4. Members of the KZNCC Council, KZNCC Executive Committee and the KZNCC Management Committee and Sub-Committees.

8.2. The KZNCC Provincial Assembly shall receive reports from the KZNCC Executive Committee through the KZNCC Chairperson and the Chief Executive Officer.

8.3. In its deliberations on topics as prepared by the KZNCC Executive it will make recommendations and proposals for consideration and implementation.

8.4. The Tri-annual KZNCC Provincial Assembly has the following functions:
8.4.1 To discharge functions as set out by the Assembly.
8.4.2 To conduct any other business properly presented to it.

9. The KZNCC Council:
The highest decision making body of the KZNCC is the KZNCC Council which will hold ordinary meetings at least twice a year. It will be chaired by the KZNCC chairperson.

9.1. The Council shall consist of:
9.1.1. Appointed members: each KZNCC member Church and Christian organization shall delegate a member to serve on the KZNCC Council.
9.1.2. The members of the KZNCC Executive Committee
9.1.3. The members of the KZNCC Management Committee and its Sub-Committees in a non-voting capacity;
9.1.4 The Chairpersons of the Regional Councils, as non-voting ex-officio members.
9.1.5. The names of delegates, and of an alternate for each delegate, shall be submitted annually in writing by the head of the Church, Christian Organisation or Regional Council to the Chief Executive Officer not later than fourteen (14) days before the date of the KZNCC Council Meeting.

9.2. The KZNCC Council is to receive reports from the Executive and Sub-Committees on the finances and programmes.

9.3. The KZNCC Council has the following functions:
9.3.1 To elect the Chairperson and three Executive members on a rotational basis. The term of office for a member of the Executive shall be three years with the possibility of re-election for a second term of office.
9.3.2 To discharge its other functions as set out in the Constitution.
9.3.3 To conduct any other business properly presented to it.
9.3.4 To determine from time to time the number and areas of operation of local Christian Councils in the Province.
9.3.5 To exercise oversight of the KZNCC finances.
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9.4 Voting on every question before the KZNCC Council, except where otherwise stated, shall be decided by vote of representatives present and voting as indicated by a show of hands providing the Chairperson shall have both a deliberative and a casting vote.

9.5 The KZNCC Executive Committee shall draw up the rules of procedure for the KZNCC Council for adoption by the Meeting, provided that no less than two thirds of the representatives present and voting so decide.

9.6 A quorum for the KZNCC Council is one third of the representatives entitled to be present and to vote in terms of this Constitution provided that not less than two thirds of the full members of the KZNCC Council have at least one representative present.

10. The KZNCC Executive Committee:

10.1 The KZNCC Executive Committee shall consist of:

10.1.1 The Chairperson and three ordinary members elected by the KZNCC Council.

10.1.2 The Executive shall choose and elect the Deputy Chairperson, Treasurer and Secretary from among its elected members. The Chairperson, Deputy Chairperson, Treasurer, and Secretary are designated office bearers of the KZNCC Council.

10.1.3 The KZNCC Chief Executive Officer (CEO) is an ex-officio member with voting rights.

10.1.4 The Programme Manager and Finance Manager are non-voting ex-officio members of the KZNCC Executive Committee.

10.2 The functions of the Executive shall be:

10.2.1 To assume governance responsibility for the KZNCC and provide strategic leadership and oversight to ensure that the principal objectives of the KZNCC are met.

10.2.2 To undertake such other tasks as are provided for in this Constitution or delegated to it by the KZNCC Council.

10.2.3 To convene the KZNCC Provincial Assembly and the KZNCC Council:

10.2.3.1 To send out written notices not less than twice in any one calendar year, dispatched not less than 28 days before the date of the KZNCC Council Meeting to addresses furnished on the applications made by members or, if notification of a change of address has been received in writing subsequent to such application, to that address.

10.2.3.2 To convene the KZNCC Council meeting within two months of receiving a requisition in writing signed by the authorized representatives of not less than one third of the full members of the KZNCC.

10.2.3.3 For purposes of, and in compliance with, clause 14.1 hereof and on receiving a requisition complying with clause 14.2.1-3 hereof, calling for the dissolution of the Council, within two months of receiving such requisition.

10.3 The KZNCC Executive shall have the power to:

10.3.1 Co-opt a person or persons in the event of a vacancy occurring on the Executive.

10.3.2 Invite a person or persons to meetings of the Executive and to accord to such person or persons rights within such meetings other than the right to vote.

10.4 The KZNCC Executive shall meet not less than three times in any one calendar year.

10.5 The KZNCC Executive Committee shall have a Management Committee and several Sub-Committees:

11.1 The KZNCC Management Committee

11.1.1 The Management Committee shall consist of the Chief Executive Officer, Programme Manager, and Finance Manager and shall meet at least six times a year to plan and review its duties and programmes under the leadership of the Chief Executive Officer.
11.1.2. The Management Committee may co-opt members of the Council, the Executive Committee, or other specialist members to serve on task teams or sub-committees to achieve specific objectives, e.g., financial control and efficiency, etc., as required.

11.1.3. The Management Committee shall perform functions delegated to it by the Executive, and shall establish effective mechanisms to report-back to this structure on the financial and programme issues on a quarterly basis.

11.1.4. The Chairperson, or two members of the Management Committee, can call a special meeting when there is a need for it. Other Management Committee Members have to be informed about the date of the meeting not less than 21 days before it is due to take place, as well as issues which need to be discussed. If, however, the appointment of a new Management Committee Member is to be considered, then other committee members have to be given not less than 30 day’s notice.

11.1.5. When the Chairperson cannot attend, the members present shall elect a Chairperson from those who are present, before the meeting starts.

11.1.6 The quorum will be at least 50% of the total membership.

11.1.7. The Management Committee can set up sub-committees to help dealing with issues. These sub-committees must consist of at least three persons and must report back to the Management Committee on a regular basis.

11.1.8. Minutes of all meetings must be kept safely and be on hand for members to consult.

11.2. The Sub-Committee on Human Resources:
The Sub-Committee on Human Resources is responsible for staff remuneration packages, discipline, appointments, performance appraisals, relationships in the office etc: it consists of the Chief Executive Officer, the Deputy Chairperson and two Executive members with the possibility of co-option. The Chief Executive Officer is to convene the meeting.

11.3. The Sub-Committee on Constitutional Matters:
The Sub-Committee on Constitutional Matters is responsible for the Constitution and legal aspects of the KZNCC Council: it consists of the Chairperson, Chief Executive Officer, Programme Manager, Advocacy Officer and two Executive Members. Lawyers and Legal experts may be co-opted to give advice at particular meetings.

11.4. The Sub-Committee on Finances:
The Sub-Committee on Finances is responsible for all financial affairs of the KZNCC: it consists of the KZNCC Treasurer, the Chief Executive Officer, the Finance Manager with the possibility of co-option. The Treasurer is to convene the meeting.

12 Finances
The financial year of the organisation shall be from 1 January to 31 December of each calendar year.

Financial Responsibilities
12.1. The KZNCC Executive Committee shall appoint at least three unconnected persons as financial officers to accept fiduciary responsibility for the KZNCC financial management. The KZNCC Treasurer shall chair the meetings.

12.2. The KZNCC Executive Committee shall appoint a standing Finance Subcommittee to oversee the Council’s finances.

12.3. The Finance Manager shall be responsible for managing the day-to-day finances of the Council and ensuring that proper records are kept of all of the Council’s assets, liabilities and financial transactions.

12.4. The Finance Manager shall ensure that all of the Council’s funds (except for a reasonable amount of petty cash necessary to finance incidental expenses) are deposited into a bank account in the Council’s name. All withdrawals from or cheques drawn on this account must be signed by at least two of the financial officers designated by the KZNCC Executive Committee.
12.5 The KZNCC’s funds may only be spent in pursuit of its objectives and may not be distributed, directly or indirectly, to any person except in the course of undertaking a public benefit activity.
12.6 The KZNCC Council may not use its assets, directly or indirectly, to support, advance or oppose any political party.
12.7 Only upon approval of the Executive Committee, may fixed property be purchased or disposed of.
12.8 The KZNCC may not accept any donation that may be reclaimed by the donor (except where the Council fails to abide by or fulfil a written condition attached to the donation at the time it was made).
12.9 The KZNCC may not carry on any business or trading activity that would render it ineligible for registration as a Public Benefit Organisation in terms of the Income Tax Act, 1962.
12.10 The KZNCC Executive Committee shall appoint a registered accounting officer or firm to audit the Council’s financial records annually.
12.11 KZNCC Chief Executive Officer and Treasurer must ensure that the organisation’s audited annual financial statements and a narrative report on its activities during the previous financial year are submitted to the Director of Non-profit Organisations within six months of the end of the financial year.

13. Amendment of the Constitution
13.1 This Constitution may be amended by the vote of two thirds of representatives present and voting at a meeting of the Council, provided that particulars of the proposed amendment were included on a notice of meeting of the Conference dispatched not less than 90 days before the meeting.
13.2 Any amendments made to the Constitution must be submitted to the Commissioner for the South African Revenue Service prior to such amendments coming into force and effect.

14. Dissolution
14.1 The KZNCC may be dissolved upon the vote of two thirds of the full members at a special meeting of the KZNCC Provincial Meeting called for the purpose of considering such dissolution, provided that notice of such proposed dissolution shall have been given not less than 90 days before the date of such meeting.
14.2 In the event of dissolution, the net assets of the KZNCC shall be disposed of to other organisations or bodies doing similar work as the KZNCC, as contemplated below:
14.2.1 Any Public Benefit Organisation, approved by the Commissioner of Revenue in terms of section 30 of the Income Tax Act, 1962;
14.2.2 Any institution, board or body that is exempt from tax in terms of section 10(1)(c)(N) of the Income Tax Act, 1962, and that has as its sole or principal objective the carrying on of any public benefit activity.

ANNEXURE 1:
The KZNCC’s Regional Councils are:
KwaZulu Regional Christian Council KRCC (Office: Eshowe)
Diakonia Council of Churches DCC (Office: Durban)
Midlands Council of Churches (Office: Pietermaritzburg);
Thukela Amajuba Mzinyathi Christian Council TAMCC (Office: Ladysmith);

Changes to the Constitution approved at St Philomena, Durban on 21st August 2013.

Chairman:..................................................Name: Hummingfield Charles Nkosinathi

CEO:..................................................Name: DZwane D. Zuma

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Secretary: [Signature]
Name: Rev. George M. Sibiya

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