

CONSTITUTION
FOR
NEIGHBOURHOOD OLD AGE HOMES
(NOAH)
OF
THE ARCHDIOCESE OF CAPE TOWN
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1. PREAMBLE AND ESTABLISHMENT OF NOAH AS A SEPARATE LEGAL ENTITY

- 1.1 The CATHOLIC WELFARE AND DEVELOPMENT (CWD) inaugurated the NOAH program as a subsidiary activity in 1981. By March 2001 NOAH had developed strong and competent leadership able to deal with its own organisational development, financing, funding and human resources. In consequence NOAH was afforded substantial autonomy through a management committee enabling it to largely handle its own affairs. By 2006 NOAH had achieved a level of autonomy sufficient to enable CWD to further entrench it by equipping it with its own governing body without then establishing NOAH as a separate legal entity.
- 1.2 NOAH having in 2010 achieved a level of autonomy sufficient to function independently CWD hereby and in terms of clause 11.3.3 of its Constitution consents to NOAH being established as an independent legal entity under and in terms of the undermentioned Constitution. CWD accordingly hereby cedes, assigns and transfers to NOAH all movable property currently utilised by it in the promotion of its objects and in the exercise of its powers and functions within the territory which without limitation shall include all intellectual property, all rights attaching to the work conducted by NOAH.

2. NAME

The name of the organisation shall be NEIGHBOURHOOD OLD AGE HOMES of the Roman Catholic Archdiocese of Cape Town.
(hereinafter referred to as NOAH.)

3. LEGAL PERSONA

NOAH shall be a juristic person, with power to institute and defend legal proceedings and with the right to own and secure the registration of immovable property in its own name, subject to the jurisdiction of the Archbishop of the Roman Catholic Archdiocese of Cape Town (hereinafter referred to as the Archbishop) and to the code of Canon Law of the Roman Catholic Church. The members of the Board referred to in clause 8 below shall be deemed in law to be the members of this voluntary Association.

4. OBJECTIVES

- 4.1 The objective of NOAH shall be the care of social pensioners which without limiting the generality thereof shall include the provision of lodgings and board where appropriate and associated services and facilities to ensure the good health, safety, security and happiness of the social pensioners within the Republic of South Africa.
- 4.2 The ancillary objects are:
- 4.2.1 To promote the spiritual, social and material well-being of communities in its areas of operation and in doing so aspire to Christian values.
- 4.2.2 To respond to identified development needs which come from the community by providing training and support to help groups identify community needs, build organization structures and strengthen their capacity to take control of their lives.
- 4.2.3 To encourage co-ordination and co-operation among organizations and institutions with similar aims.
- 4.2.4 To perform functions and initiate projects and programs that will achieve the above objectives.
- 4.2.5 To adopt the fundamental operating philosophy that its activities should be based on shared decision-making and will have regard to the following principles:
- Non-Racialism
 - Non-Sexism
 - Improvement of the welfare of the beneficiary community

5. AREA OF OPERATION

NOAH, under the patronage of the Archbishop of Cape Town, shall operate as an outreach support service in accordance with the Pastoral Plan of the South African Catholic Bishops Conference entitled "Communities Serving Humanity" as amended from time to time.

6. FUNDRAISING

- 6.1 All donations will be accepted to further the objectives of NOAH which are not subject to terms and conditions which the Board regards as contrary to the stated objectives.
- 6.2 NOAH is prohibited from accepting any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of the donation, including any misrepresentation with regard to the tax deductibility thereof in terms of section 18A (provided that a donor may not impose conditions which could enable such donor or any connected person in relation to such donor to derive some direct or indirect benefit from the application of such donation).

GOVERNANCE BY THE BOARD

7. APPOINTMENT OF BOARD OF MANAGEMENT

- 7.1 The Board shall consist of not less than five and not more than eleven (11) members. Only persons of 18 years and older and who are committed to upholding Christian values in accordance with the social teachings of the Roman Catholic Church shall be eligible for nomination to the Board. Any nomination of a person to the Board shall be subject to the prior written approval of the Archbishop. A spiritual co-ordinator shall be appointed to the Board by the Archbishop. Such co-ordinator shall be responsible for fostering and maintaining the Catholic Ethos and spirituality of NOAH in accordance with the social teachings of the Roman Catholic Church. It is recommended that at least one member of the Board be a Priest and/or Religious.
- 7.2 All nominations to the Board shall be made in writing by such person/s who is/are 18 years or older and shall be accompanied by the written consent of the person nominated. Upon receipt of written approval from the Archbishop referred to in 7.1 nominations shall be delivered to the Board for election at the Annual General Meeting.
- 7.3 The Board shall make every effort to ensure that its members represent all areas of NOAH'S operation.

