

CONSTITUTION
for
CATHOLIC HEALTH CARE ASSOCIATION

(As amended at the CATHCA Annual General Meeting,
27 April 2002, 21 March 2005, 27 April 2008, 16 May 2010)

WHEREAS THE SOUTHERN AFRICAN CATHOLIC BISHOPS' CONFERENCE (SACBC) AND THE LEADERSHIP CONFERENCE OF CONSECRATED LIFE (LCCL(SA)) DEEM IT EXPEDIENT TO RECOGNISE AN OFFICIAL BODY CHARGED WITH THE TASK OF MANAGING THE HEALTH CARE INTERESTS OF THE CHURCH

NOW THEREFORE THE PERSONS SIGNING THIS DOCUMENT ESTABLISH THIS CONSTITUTION.

1 The name of the official body shall be Catholic Health Care Association (CATHCA).

2 Membership of CATHCA

The body is an aggregate of its members and is a universitas personarum. The members shall be the diocesan, religious and lay organisations which own or manage health care institutions and such health care institutions, organisations which work with the Church to provide health care or to support health care workers and individual health care givers. Membership will be at the discretion of the Board and on the recommendation of the Bishop of the Diocese in which the institution, organisation or individual operates

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3.2 The aims of CATHCA are the promotion of the church's health care interests including but not limited to support for health care personnel, promotion of health care as a ministry, training and counselling in respect of medical and ethical issues, networking with other health care bodies, drafting health care policy for the church and lobbying and liaison with government. The funds of the body may be used only in promoting its objects.

4 The body is a juridical person of a charitable and public nature having perpetual succession, entrusted with the task of fulfilling its objects and aims for the public good. If even a single member survives, the rights of the aggregate devolve upon that member.

- 5 It has the capacity to acquire rights and obligations, and in particular shall, in its name be capable in law of suing and being sued, of investing, lending and borrowing moneys, of purchasing or otherwise acquiring, holding, leasing, hiring, selling, exchanging, alienating, hypothecating any property, movable or immovable, burdening such property with a servitude or otherwise conferring any real right therein and generally, without in any way being limited by or restricted to the powers specified above, of entering into all other contracts, and of doing or performing such acts and things as bodies corporate may by law do or perform.
- The rights and obligations are independent of its members and in particular the ownership of assets vests in the body. Immovable property is registered in the name of CATHCA. The members have no right to the profit of the body, which is to be used solely for the promotion of its objects. Members or office-bearers shall not become liable for any obligations and liabilities of the body solely by virtue of their status as members or office bearers.
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- 6.2 Ordinary members of the Board of Management shall be elected by the paid up members present at the annual general meeting. The term of office is two years. Members may be re-elected for further terms. They may resign on written notice to the chairperson.
- 6.3 The board shall elect a chairperson and vice-chairperson, a secretary and a treasurer; shall appoint a finance committee, an auditor, and may appoint consultants for ethical, legal and health care matters. Office bearers shall be elected for a two year term of office and may be eligible for re-election for another two consecutive terms of two years.
- Office-bearers shall not be personally liable for any loss suffered by any person as a result of any act or omission which occurs in good faith while the office-bearer is performing functions for or on behalf of the body.
- 6.4 The Board of Management shall appoint annually an executive committee to be responsible for the day to day management of CATHCA and shall mandate it to achieve the objects of CATHCA and to support the director and other employed staff.
- 6.5 The Board of Management or sub-committee appointed for the purpose shall appoint a director. The Director shall appoint such other staff as may be deemed necessary.

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- 7.9 CATHCA is a registered NPO in terms of the Non-Profit Organisations Act No 71 of 1997 and also a registered PBO under the Public Benefit Organisation Income Tax Act of 1962. CATHCA will comply with any requirements imposed in terms of these Acts.

7.10 No remuneration will be paid to any employee, office bearer, member or any person which is excessive having regard to what is generally considered reasonable in the sector and in relation to the service rendered.

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In the event of CATHCA being dissolved either by the members or by the Board of Management, after consultation with the SACBC, the LCCL(SA) and current funders, or for any other reason, the assets of the body shall fall to be distributed at the discretion of the SACBC and LCCL(SA) after consultation with the members to a non-profit public benefit organisation having similar objectives.

9 Amendments to the Constitution

The constitution may be amended on a simple majority vote of the members present at the annual general meeting, which amendment shall have no force or effect until confirmed by the SACBC and the LCCL(SA). A copy of amendments to the constitution will be submitted to the Commissioner for the South African Revenue Services and the Department of Social Development.

10 The Code of Canon Law

The Code of Canon Law being English translation of the Codex Iuris Canonici and approved by the Episcopal Conference of Southern Africa in accordance with n3 of the norms issued by the Cardinal Secretary of State on 28 January 1983 is incorporated as amended into this constitution. Should a court in South Africa be required to adjudicate upon any matter to which the code of Canon Law is or may be relevant, then such court shall apply South African Law thereto.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET THEIR SIGNATURES

Albert Akers
Stano Kallane
[Signature]

SA CATHOLIC BISHOPS' CONFERENCE

LEADERSHIP CONFERENCE OF CONSECRATED LIFE

CATHCA CHAIRPERSON

AT HARTBEESSPOORT ON THIS 16th DAY OF MAY 2010.

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for
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27 April 2002, 21 March 2005, 27 April 2008, 16 May 2010)

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Abel A. Koro

Siya Kallane

CATHCA CHAIRPERSON

LEADERSHIP CONFERENCE

SA CATHOLIC BISHOPS' CONFERENCE

OF CONSECRATED LIFE

CONFERENCE

AT HARTBESPOORT ON THIS 16th DAY OF MAY 2010.

I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION OF THE ORIGINAL DOCUMENT. I HAVE HANDLED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT I HAVE MADE NO OBSERVATIONS, AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.

HANDWRITING SIGNATURE: *front*

MAGNUMMER: 70228309

RANK: STG

RANK: STG

NAME IN PRINT: P. Koro

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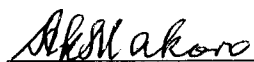
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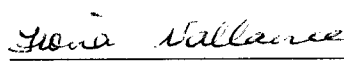
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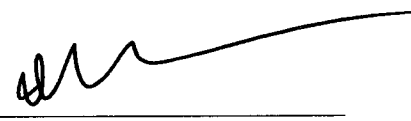
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