

The Constitution of the Viva Foundation of South Africa



Constitution of the Viva Foundation of South Africa

1. The foundation shall be called The Viva Foundation of South Africa and in short, referred to as Viva and shall be an entity in its own right.

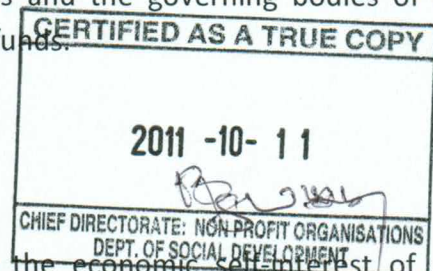
2. Objectives of the Viva Foundation of South Africa (hereinafter: The Foundation)

The sole object of the organisation is to carry on one or more public benefit activities as defined in section 30 (1) of the Act, in a non-profit manner and with an altruistic or philanthropic intent;

- 2.1** The social, spiritual and economic upliftment of underprivileged persons,
- 2.2** To conceptualize and operate projects and programs of charitable and public benefit nature to nurture, educate and enable vulnerable persons and/or communities,
- 2.3** To raise funds for the furtherance of these charitable and public benefit activities,
- 2.4** To promote its cause and objectives,
- 2.5** To promote Christian values, and
- 2.6** To manage and give account to its benefactors and the governing bodies of the Republic of South Africa of the application of donated funds.

3. Realising the objectives of the Foundation

3.1 No activity will directly or indirectly promote the economic self-interest of any fiduciary or employee of the organisation otherwise than by way of reasonable remuneration,



3.2 The social, spiritual and economic upliftment of underprivileged persons, and conceptualizing and operation of projects and programs shall be realised by means of social concerns programmes and small business development initiatives, included, but not limited to the following:

3.2.1 Early Childhood Development Programmes, at Partial Care Facilities,

3.2.2 Assisting School Aged Children in After School Care Programmes, at Partial Care Facilities,

3.2.3 Programs to Enable Young Persons in life-skills development, sport- and career progress, including, but not limited to art-, music-, drama-, sport training and motivational events and counselling,

3.2.4 Nurture and care of Orphans, including, but not limited to home-based OVC (Orphan and Vulnerable Children), feeding, clothing, education and care,

3.2.5 Support of vulnerable families through life-skills training, literacy programmes, food- and clothing aid, workshops and small business development programmes, skills development and ABET (Adult Basic Education and Training) programmes, and

3.2.6 Support and care of persons affected by AIDS and their families.

3.3 Raising funds for the furtherance of the charitable and public benefit activities and promoting the cause and objectives:

3.3.1 Fund raising shall be carried out among the private, public and business sectors,

3.3.2 The Foundation shall apply for grants and available government and international subsidies,

3.3.3 The Foundation shall stage and conduct fund-raising events in the form of concerts, seminars, banquets, sport events and diverse functions,

3.3.4 Ticket sales for benefit concerts and events, shall be deemed fund-raising and not be carried out for commercial purposes. The goal shall be to raise funds for the benefit of the public and as such shall be stated clearly, with the public being fully aware that the cost of the ticket is a donation to the Foundation,



3.3.5 Corporations shall be encouraged to take on the Foundation as their CSR (Corporate Social Responsibility) and CSI (Corporate Social Investment) Projects,

4. Management, Accountability and Governing Principles:

4.1 No funds or property will be given or distributed to any person, to members of the organisations or office bearers, other than reasonable remuneration for services rendered to the organisation, which shall be administrative, organisational, managerial, operational, and/or such duties as required to perform any public benefit activity that the organisation is involved in and the Foundation shall utilise its funds solely for the object for which it was established,

4.2 Accountability for received and applied funds shall be the responsibility of the fiduciaries of the Foundation and such accountability shall be toward:

4.2.1 Its benefactors and donors,

4.2.2 Its oversight and governing bodies,

4.2.3 Its associates and affiliates,

4.2.4 The community/communities where the activities are carried out,

4.2.5 The Government of South Africa, and

4.2.6 The South African Revenue Service as detailed herein.



4.3 Bank Account/s:

4.3.1 An account / accounts shall be opened at a financial service provider registered by the National Credit Regulator in the name of the Foundation, to receive and distribute or apply donated funds,

4.3.2 The account/s details shall be made known to the benefactors and sponsors for the purpose of receiving funds,

4.3.3 Withdrawals and/or transfers from the account/s shall be done by two fiduciary members entrusted with the duty of withdrawing or transferring funds, with the exact invoicing, cash receipts and/or transfer details of each withdrawal, recorded and kept,

4.3.4 Expense accounts may be opened for specific programmes or departments and such funding made available to that department and such account may be any suitable account offered by the said financial service provider or cash account, all of which shall be kept stringently with exact invoicing and cash receipts recorded and kept,

4.3.5 Persons given the task to effect cash expenditures and/ or bank card purchases, shall be held responsible for the full amount or such expenditures and purchases, namely that it is only for the purposes of realising the objectives and carrying out the activities set forth herein and that invoices and receipts be recorded and kept,

4.4 An accountant shall be appointed and an accounting- and administration system shall be in operation, to capture and record all income and expenses of the Foundation,

4.5 An Auditing company shall be appointed to do an annual audit of the finances of the Foundation and submit a report to the South African Revenue Services and the Director of Non-Profit Organisations within six months after the end of the financial year.

4.6 The financial year shall be from the 1st day of March to the last day of February.

4.7 Assets and movable and immovable property:

4.7.1 The Foundation shall keep an asset register,

4.7.2 Members or office bearers of the organisation do not have rights over movable and immovable property of the organisation, including such as donated to the organisation or purchased with the organisation's funds,

4.7.3 No residential property or commodities shall be purchased with Foundation funds and then be applied for private use of any fiduciary, associate or staff member of the Foundation,

4.8 Funds raised shall be applied for activities as set forth here above and initiated by the Foundation,

4.9 Investments:

4.9.1 If the Foundation receives investments as a donation, bequest or inheritance, it may be retained in such form unless it involves a business undertaking or a trading activity,



4.9.2 If a donated or bequeathed investment involves a business undertaking or a trading activity, the Foundation shall without delay transfer it to a separate, taxable entity, through sale, which profits shall be applied solely for the furtherance of the objectives,

4.9.3 Surplus Funds: No more than 15 % (fifteen percent) of funds raised or donated in one year for the operational expenses shall be invested for future use, such funds shall be deemed surplus and may only be invested with a financial institution as defined in section 1 of the Financial Services Board Act, 1990 (Act No 97 of 1990) and dividends earned shall be used for the furtherance of the objectives of the Foundation,

4.9.4 Other prudent investments in financial instruments and assets registered with the Commissioner for SARS of the Financial Services Board and/or the Director of Non-Profit Organisations determine, may be considered, including the establishment of an Endowment Fund to secure the sustainability of the foundation,

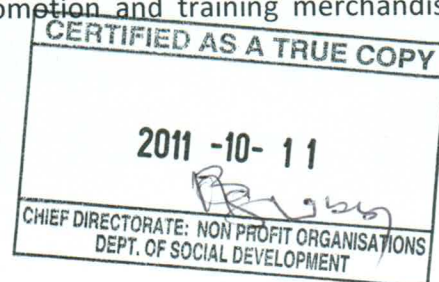
4.10 The Foundation shall not accept any donation which is revocable at the instance of the donor for reasons other than a material failure to conform to the designated purposes and conditions of such donation, including any misrepresentation with regard to the tax deductibility thereof, in terms of section 18A: Provided that a donor (other than a donor which is an approved public benefit organisation or an institution, board or body which is exempt from tax in terms of section 10(1)(cA)(i), which has as its sole or principal object the carrying on of any public benefit activity, may not impose any 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,

4.11 The Foundation may recruit or secure the assistance of celebrities, artists, sport celebrities, motivational speakers and/or clergy to raise awareness for the causes and activities and encourage the public to assist in the activities,

4.12 Limited Trading in terms of its registration as Public Benefit Organisation:

4.12.1 The Foundation shall be entitled to carry out limited trading in accordance with the guidelines set forth by the South African Revenue Services, regarding Public Benefit Organisations,

4.12.2 Income shall only be derived from the profits of directly related public benefit activities, for example: book table sales at events, proceeds from life-skill projects such as hand-craft and farm produce, marketing of promotion and training merchandise (CD's, books, courses), seminar fees, etc.



4.12.3 In the case of produce from life-skill projects, the Foundation shall generally not derive income for its administrative operation and profits from such activities shall not be applied to other public benefit activities, but shall be shared between the individuals producing the goods and the furtherance of the specific project,

4.12.4 If hand-craft produce is used to raise funds for a specific cause other than the actual hand-craft project, for instance for HIV care, the participants and individuals producing the hand-craft, shall be informed that their produce will be used for the furtherance of another public benefit activity within the Foundation and shall give their permission and they shall be remunerated for their work within market related norms,

4.12.5 Any such activity shall be conducted on a cost recovery basis and shall not result in unfair competition to other taxpaying entities and the activities be undertaken substantially with assistance on a voluntary basis with uncompensated assistance,

4.12.6 Benefit concerts shall be conducted with limited honoraria and cost compensation and artists, motivational speakers and celebrities performing at such events shall be recruited to do so for the cause of the public benefit activity and for free or compensation far below that of their usual takings,

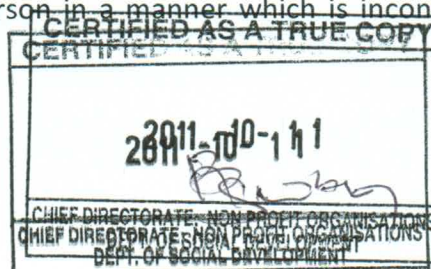
4.13 The Funds raised by the Foundation and any donations received and any dividends or profits earned as regulated by the South African Government and the South African Revenue Service and this document shall be applied solely to achieve the objectives for the benefit of the general public,

4.14 Stipends, Honoraria and Remuneration of persons:

4.14.1 The Foundation shall not distribute its funds to any person, unless it is in the course of undertaking one of the activities as set forth herein, however the payment of reasonable remuneration to employees or office bearers conducting the affairs of the Foundation to achieve the objectives shall not be limited by this prohibition,

4.14.2 No funds shall be distributed to any person, unless it is in the course of undertaking the Public Benefit Activities as stipulated herein,

4.14.3 No person shall derive profit or funds from the Foundation other than reasonable remuneration for services rendered and such remuneration shall not be excessive nor shall it economically benefit any person in a manner which is inconsistent with the objectives of the Foundation,



4.14.4 The Foundation may use the services of volunteers and part-time workers to carry out the activities and such persons may be paid a nominal stipend or honorarium,

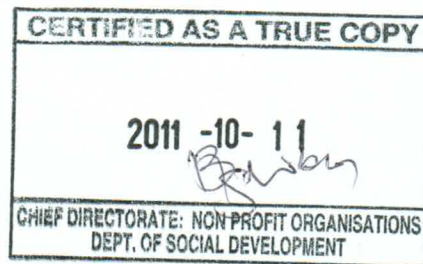
4.14.5 Where a travel allowance is made available it shall be managed in accordance with the laws and regulations as set forth by the South African Revenue Service, and

4.15 At least 75 % (seventy five percent) of the annual gross receipts shall be applied to the activities of the Foundation in the following year, unless permission is granted by the Commissioner for SARS of Public Benefit Organisations to collect and accumulate sufficient funds for larger projects over a few years, in which case such a project shall be named and detailed specifically, a savings instrument at the Bank of the Foundation be established and the funds accumulating for the project shall be applied solely for that purpose.

4.16 A management committee will manage the organisation. The management will be made up of an executive committee not less than 3 (in words: three) members, which are the office bearers of the organisation and an operational/stakeholder committee not less than 7 (in words: seven) members.

5. Governing Body, Functions and Meetings

5.1 Fiduciary responsibility and the Board



5.1.1 The Foundation shall have at least three persons who accept fiduciary responsibility for Viva Foundation of South Africa, who are not connected persons in relation to each other, and no single person directly or indirectly controls the decision making powers relating to Viva Foundation of South Africa,

5.1.2 These persons shall be office bearers of the Foundation and shall form a Board, hereinafter, The Board namely a Chair-person, Vice-Chairperson, Treasurer and Secretary,

5.1.3 No board decision shall be made in the absence of the fiduciaries or their duly appointed proxies,

5.2 The Board shall be accountable and responsible for decision-making and the Chairman and any office bearer, shall be able to call special meetings, with the consideration of the accepted protocol in regards to notice and form,

5.3 The Board shall decide on governing principles, according to the following procedures:

5.3.1 At a Board Meeting a motion shall be passed by a Board member and the motion shall be seconded by another Board member,

5.3.2 A majority vote on the seconded motion, shall determine a matter,

5.3.3 In the case of a motion to make constitutional changes, a 75 % (seventy five percent) majority shall be required to pass the motion,

5.3.4 However, the motion by the Board to make constitutional changes shall be brought before all members at the AGM so that the Constitution cannot be changed by a motion of the Board alone, and

5.3.5 Changes to the Constitution:

5.3.5.1 The Constitution can be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the members who are at the annual general meeting or special general meeting. Members must vote at this meeting change the constitution.

5.3.5.2 Two thirds of the members shall be present at a meeting ('the quorum') before a decision to change the constitution is taken. Any annual general meeting may vote upon such a notion, if the details of the changes are set out in the notice referred to in the previous paragraph.

5.3.5.3 A written notice must go out not less than fourteen (14) days before the meeting at which the changes to the constitution are going to be proposed. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.

5.3.5.4 Only such changes shall be made to the Constitution by a joint motion by the Board members, as remaining within the objectives of the Foundation and within the regulations governing PBO's and NPO's to be of strategic importance to the Foundation.

5.4 The Board shall make decisions regarding the raising of funds and the application of funds,

5.5 The Board shall decide on the annual programme and launch of projects,

5.6 Other than office bearers the Board may also invite persons to be members of the Board,

5.7 The Board shall appoint from among its ranks, a Chief Executive Officer, (hereinafter the CEO):

5.7.1 The CEO may not be the Chairman,



5.7.2 The CEO is to conduct the affairs of the Foundation and make financial decisions, and give annual reports of the activities,

5.7.3 The CEO shall be responsible for his/her actions and decisions for the period of his/her appointment,

5.7.4 The CEO may make financial decisions pertaining to the day-to-day operations and the administration costs of the Foundation, within the parameter of the Annual Budget, as agreed upon by the Board, but larger financial decisions in regards to the activities, shall be made by the Board, and

5.7.5 In the case of larger financial decisions, the Board may sanction the CEO to carry out all activities and effect purchases and payments for entire projects as budgeted for and decided upon, by the Board, for instance all decisions pertaining to larger projects such as building etc.

5.8 The Board shall appoint from among its ranks, a Treasurer:

5.8.1 The Treasurer will, in conjunction with the CEO, give feed-back and annual reports regarding the finances of the Foundation.

5.8.2 The Treasurer will liaise with the accountant and the auditing firm and ensure that proper accounting and record keeping is in place and that the financial reports and audits have been carried out and submitted,

5.8.3 The Treasurer will secure copies of the financial reports and audits and have them available for viewing by interested parties, and

5.8.4 The Treasurer shall have knowledge and experience in financial administration and may do the duties of bookkeeping and accounting, however an independent auditor shall carry out the annual audit,

5.9 The Board shall elect from amongst its members a Secretary:

5.9.1 The Secretary shall take minutes of the meetings, or have present a person to do so, the minutes shall be made available to the members of the Board after the meeting and be kept on record,

5.9.2 The Secretary shall make preparations in regards to meetings, such as venue and other requirements,

5.9.3 The Secretary shall liaise with the Chairman and send out notices and invitations to meetings, and

5.9.4 The Secretary shall liaise with the Chairman/CEO in regards to correspondence.

5.10 The Board shall appoint, where necessary, management committees and work-groups to carry out certain responsibilities:



5.10.1 The management committees and work-groups, shall be accountable to the Board for decisions and record keeping,

5.10.2 Minutes of every meeting shall be taken and kept on record, and

5.10.3 Summaries minutes of regular staff meetings shall be kept

5.11 The Board shall be chaired by one of the fiduciaries as elected annually by the Board,

5.12 The Board shall review the position and appointment of the Chairman and Treasurer annually,

5.13 The Board shall review applications and appoint staff,

5.14 The Board shall liaise with and be accountable to the donors, the beneficiaries, the Public and Governing bodies of South Africa concerned with Public Benefits Organisations and The South Africa Revenue Service.

5.14.1 No single person shall have the authority to directly or indirectly control the decision-making powers relating to the Foundation.

5.14.2 Any member of the Board shall have the right to call a special meeting and state clearly the reason for such. Notification of special meetings does not need to be called three weeks in advance, but all members must be notified and the meetings shall be conducted in a venue that is accessible for all members at a time that is convenient. Conference calls shall suffice as options for special meetings. No member may call a meeting and exclude another fiduciary.

5.15 Meetings

5.15.1 The Annual General Meeting (hereinafter the AGM)



5.15.1.1 The AGM shall be held within six months of the end of the financial year,

5.15.1.2 The Chairman and Treasurer shall give account of the business of the Foundation,

5.15.1.3 Election or re-elections shall take place,

5.15.1.4 The AGM may be attended by connected persons or donors and any persons who have actively participated in the activities of the Foundation, upon invitation, but such persons may not vote on decisions or participate in the election of the Office Bearers. They may address the meeting if requested to do so by one of the Office Bearers,

5.15.1.5 The Chairman shall be responsible for setting the date of the Annual General Meeting, notifying the members of the Board and supplying the Agenda at least 3 weeks in advance, and

5.15.1.6 Stringent minutes shall be taken, kept on record and made available to Board members after the meeting.

5.15.2 Quorum requirements at meetings shall be:

5.15.2.1 For constitutional changes – 75 % of board members present and all fiduciaries present

5.15.2.2 Other board decisions – 66 % board members and all fiduciaries present or their duly appointed proxies

6. Membership

6.1 Membership of the Viva Foundation of South Africa:

6.1.1 is open to natural persons 18 years of age and older,

6.1.2 cannot be granted Companies, Institutions and Organisations, per se, but such can appoint representatives to be members,

6.1.3 follows an application to the Board and an approval by majority vote,

6.1.3.1 The application/s shall be submitted at least 3 (three) weeks prior to the AGM

6.1.3.2 The applicant/s shall agree with the objectives of the Foundation as set forth herein,

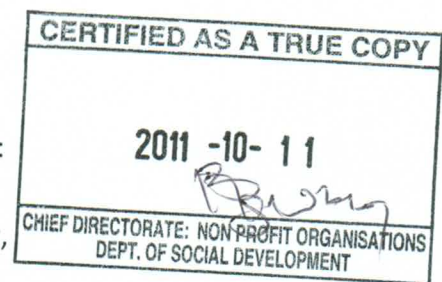
6.1.3.3 The applicant/s shall agree with and adhere to, the core values of the Foundation as set forth herein,

6.1.3.4 The application/s shall be evaluated by the Board and approved applicants shall be introduced at the AGM,

6.1.3.5 In the case of objections to an applicant, the person/s objecting shall give written and grounded notice of the objections within 6 (six) months after the AGM at which the applicant was introduced and the applicant in turn shall be afforded the opportunity to answer the objections, and

6.1.3.6 Other objections to applicants and members may be brought before the Board after 6 (six) months, if such objection becomes necessary.

6.1.4 The payment of a non-refundable, annual membership fee of R1.000,00 (one thousand Rand) per person or representative, on or before the AGM shall be required.



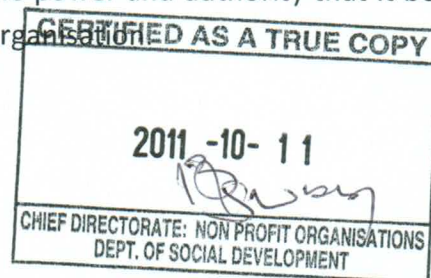
Service or donations of non-monetary value, may be given in lieu of the membership fee, however the Board will evaluate the service or donation and ascertain whether the actual value to the Foundation, equals the membership fee,

6.1.5 Attendance of meetings shall be a requirement and absence from an AGM or two consecutive membership meetings (meetings called by the Board requesting the presence of the members of which due notice has been given), without apology or reasonable grounds, shall be deemed a voluntary resignation,

6.1.6 Each member has one vote.

6.1.7 The Organisation shall be a body corporate and have an identity and existence in its own right, distinct from its member or office bearers and shall continue its existence notwithstanding changes in the composition of its membership or office-bearers, with the powers to function and act as an entity, thus the chairperson may not abdicate the chair in the absence of a suitable substitute, in order to ensure that the organisation continues, in which case the substitute chairperson may be in this position on a temporal, probationary or interim basis.

6.1.8 The management committee may take on the power and authority that it believes it needs to be able to achieve the objectives of the organisation



6.2 Membership of the Board

6.2.1 Nominations:

6.2.1.1 Members may nominate persons who have been members of Viva Foundation of South Africa, for longer than 1 (one) year, to the Board, using a nomination document provided by the Board,

6.2.1.2 Nominations must be seconded by third persons, who are likewise members of Viva Foundation of South Africa,

6.2.1.3 Nominees must indicate whether they are willing to fulfil the position that they have been nominated for,

6.2.1.4 Nominations must be submitted 6 (six) weeks prior to the AGM

6.2.1.5 The Board shall evaluate the nominations and introduce those nominees who were willing to take the position and whose suitability for the position has been established in the nomination process, to the members at the AGM, and

6.2.1.6 The members shall vote on the nominations and by majority vote choose members of the Board, annually.

6.2.2 Termination of membership:

6.2.2.1 A member may terminate his/her membership by submitting a written letter of resignation,

6.2.2.2 in the case of a Board member, the resignation shall accompany the submission of all materials and property, belonging to the Foundation,

6.2.2.3 The Board may decide on the termination of membership for just cause,

6.2.2.4 The intention to terminate membership, shall be given in the form of a written notice of termination,

6.2.2.5 If the member wishes to dispute the termination, he/she shall make his/her intention to be heard known and shall be afforded a hearing at such a time as is opportune to the Board,

6.2.2.6 At such a hearing, may be represented or accompanied by a representative or witness to the hearing,

6.2.2.7 Termination of membership may only take place after such an hearing, and

6.2.2.8 Members of the Board shall have their membership terminated if they are found, by evaluation by the Board, to no longer acting in the interest of the Foundation, no longer upholding the principles, values and objectives of the Foundation, suffer from an ailment making their active involvement impossible, suffer from mental disorder, or dies (membership cannot be inherited or transferred).

6.3 Number of members

The Viva Foundation of South Africa has 5 (in words: five) members in the management committee, who are office bearers.

Rev. Meleney Bough Kriel (Chairperson)

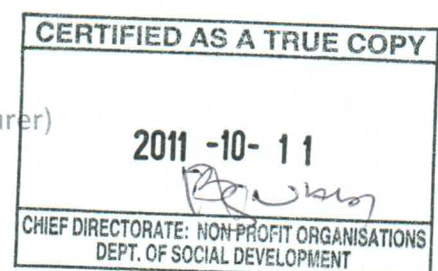
Mrs. Vincentia Thembi Mfungwase Shadi Kodisang (Treasurer)

Ms. Jessica Karema Jenkins (Secretary)

Pastor Solomon Donny Nkambule (Member)

Mr. Jared Burchell (Member)

A CEO is appointed by the Executive Committee and serves on the board as an honorary member during his appointment as CEO. The CEO is Rev. Leon Ivan Kriel



7. Donations

7.1 The Foundation shall issue upon receipt of any donation, a receipt to the donor to acknowledge receipt and express gratitude,

7.2 The donor shall be placed on a mailing list and be informed of the activities of the Foundation,

7.3 The receipt of the donations received, as prescribed by the Commissioner of SARS, for the purpose of the donor submitting the receipt to SARS in his/her own tax return shall reflect the required information as follows:

7.3.1 On the letterhead of the Foundation with its address, reference /registration number awarded by the Commissioner of SARS and contact details,

7.3.2 The date/s of the receipt of the donation/s,

7.3.3 The name and address of the donor,

7.3.4 The amount or nature of the donation if not in cash, and

7.3.5 A paragraph certifying that the receipt is issued for the purpose of Section 18A approved Public Benefit Organisations, and that the donation will be used exclusively for the activities as set for the Constitution of the Foundation and approved by the Commissioner of SARS as public benefit activities.



8. Dissolution

8.1 The organisation may close down if the executive committee unanimously decide upon dissolution. If the operational/stakeholder committee moves to close the organisation, the executive members may veto such a decision.

If the tax exemption is withdrawn, the Foundation shall immediately take corrective steps and endeavour to comply with the requirements of the Commissioner of SARS. If unsuccessful, the Foundation shall cease to operate and within three months transfer the assets and funds to another approved public benefit organisation not connect to the Foundation,

8.2 Upon dissolution of Viva Foundation of South Africa, the remaining assets must be transferred to-

8.2.1 Any similar public benefit organisation, which has been approved in terms of section 30 of the Act,

8.2.2 Any institution, board or body which is exempt from the payment of income tax in terms of section 10(1)(cA)(i) of the Act, which has as its sole or principal object the carrying on of any public benefit activity; or

8.2.3 Any department of state or administration in the national or provincial or local sphere of government of the Republic, contemplated in section 10 (1)(a) or (b) of the Act.

8.3 The Board may decide to distribute the assets and funds, upon dissolution to more than one organisation that is approved by the Commissioner of SARS as a public benefit organisation,

8.4 Only organisations that are duly registered as public benefit organisations and carry out activities as envisaged in section 10(1)(cA)(i) of the Act, shall be considered as beneficiaries in the case of dissolution,

8.5 The beneficiary organisation does not need to carry out all the activities of the Foundation to be considered as a beneficiary, but some. However the exclusions in this Constitution, shall be upheld by such an organisation, and

8.6 Before the dissolution takes effect the confirmation of the approval of the Commissioner of SARS in regards to the beneficiary organisation/s shall be obtained.

9. Amendments

9.1 Amendments to this Constitution shall only be made in accordance with Paragraph 53.5

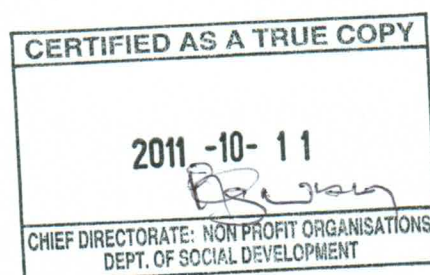
9.2 Reasons for amendments shall be stated clearly and motivated,

9.3 The Foundation shall submit a copy of all amendments to this Constitution to the Commissioner for SARS and the Director of Non Profit Organisations, and

9.4 The amendments shall be submitted as soon as they have been decided upon and come into effect.

10. The Official Address of the Foundation shall be:

The Viva Foundation of South Africa
For attention: Rev. M.B. Kriel
Postnet Suite 274
Private Bag X844
Silverton
0127
South Africa



Tel.: +27 (012) 809 4530

Cell: +27 (079) 635 2964

Fax: +27 (086) 634 3386

ANNEXURE A

DEPARTMENTS, WORK-GROUPS AND SUB-DIVISIONS OPERATING WITHIN THE VIVA FOUNDATION OF SOUTH AFRICA OF SOUTH AFRICA

1. Activities:

The Foundation may form departments, work-groups or sub-divisions to manage and oversee different activities. These may be given a name and identity, but shall not operate independently from the Foundation. Persons responsible for managing such a department, work-group or sub-division, shall answer to the Board of the Foundation and the CEO.

2. Charitable and public benefit activities shall be understood to be the following:

a. Humanitarian and Welfare

- i. Orphan care,
- ii. Education Centres, Partial Care Facilities, Schools and/or Pre- or After School care programmes for underprivileged children,
- iii. Feeding Schemes,
- iv. Scholarships for underprivileged children for further education, and
- v. Leadership-, life-skills-, computer- and business training for the underprivileged.

b. Health Care

- i. Orphanages, schools and health care facilities and/or home-based care for AIDS orphans, that is: such orphans suffering from AIDS and such children orphaned by the AIDS deaths of parents and guardians.

c. Religion

- i. Promoting Christianity and Christian values,



- ii. Furtherance of Christianity through any means (including church activities, concerts, events, printed matter, audio-visual media etc. as long as it is not for profit or the benefit of an individual),
- iii. Presenting youth programmes promoting morality and life aspiration and inter-racial understanding, and
- iv. Activities initiated by the Foundation shall be done in accordance to the furtherance and promotion of Christianity. No organisation, charity or foundation carrying out or promoting objectives contrary to the Christian Faith and offensive or contrary to the doctrines of the Holy Scriptures, the Bible, shall be funded by the Foundation. For example: such organisations promoting abortion, racism, lewd sexual conduct, paganism, esoteric practices, mysticism, exploitation of persons, abuse or exploitation of animals, gene-manipulation, etc.



d. Sport and the Arts

- i. Sport and recreation facilities for underprivileged settlements and poor neighbourhoods,
- ii. Sponsorship of sport events and training for underprivileged or handicapped persons,
- iii. Facilitating sport training, music and art & craft workshops and education,
- iv. Forming and training of music groups, drama troupes and choirs, and

e. Exclusions


- i. The Foundation shall not engage in any political activity nor shall it be seen to promote a political party or an individual running for public office,
- ii. Exclusions of religious institutions or activities other than that which promotes the Christian Faith has already been established under paragraph § c.4,
- iii. The Foundation shall not apply funding in any tax avoidance- Ponzi-, Pyramid- or any schemes that are questionable or illegal,
- iv. The Foundation shall not apply funding in any Stokvel,
- v. The Foundation shall not apply funding to any activity or group that is exclusive in regards to race, nationality, sex or any association that is not representative of the broad public of South Africa or is not seen as needy, disadvantaged, abused, vulnerable or threatened,
- vi. However, youth and children's programmes and any counselling and assistance in regards to the preservation of the family, sexual health, moral values and the prevention of HIV and abuse, shall be promoted

regardless of social and economic stand due to the fact that it threatens society and persons who are not able to defend themselves. (For instance child abuse and sexual abuse shall be condemned and assistance given regardless whether the child is from an affluent or a needy background, due to the fact that not the child itself is affluent in its own right and affluence or financial security does not protect a child from abuse.)

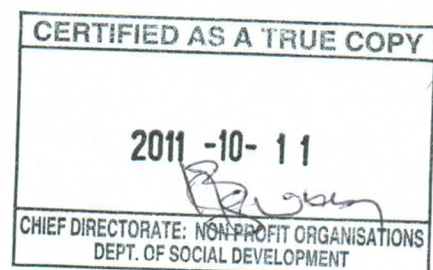
- f. The following are departments of the Viva Foundation of South Africa.
- i. The Department responsible for Early Childhood Development, presently operating in Mamelodi, is called Viva Kids Day Care Centre,
 - ii. The Department responsible for the assistance of school-aged children presently operating in Mamelodi, is called Viva Kids After Care Centre,
 - iii. The Department responsible for orphans, aids orphans und AIDS sufferers operates as a home-based OVC programme in Mamelodi, in affiliation with the organisation Heartbeat,
 - iv. A Department operates in Mamelodi, whereby beadwork is carried out as a small business development programme,
 - v. Other Departments, Work-Groups and Sub-Divisions:
 1. Finance
 2. Administration
 3. Promotion, Marketing and Events

The Foundation maintains the right to add to and remove from this list as operations permit or require.

Signed at Pta on this 4th day of May 2011


Thembi Kodisang

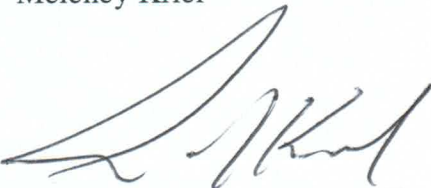

Meleney Kriel



Signed at Pta on this 21st day of Feb 2011

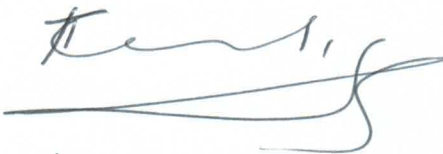
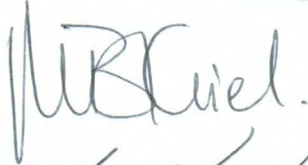


Thembi Kodisang


Meleney Kriel


Leon Kriel


Jessica Jenkins



Amended. 4/5/2011. Susan.




Amended on 18 August 2011

Signed at Pretoria on this 18th day of August 2011



Thembi Kodisang



Meleney Kriel



Leon Kriel

Presently in India, participated per Internet communication

Jessica Jenkins

