

STATUTE OF THE ASSOCIATION "CARITAS SOMALIA"

HAVING ITS SEAT IN MOGADISHU

CHAPTER ONE

Denomination, Social seat, Duration

Art. 1

An Association without sake of gain is constituted in Mogadishu. The Association is named CARITAS SOMALIA. It is ruled by the present Statute.

Art. 2

Caritas Somalia is the organ of social, pastoral activity of the Catholic Church in the ambit of the Diocese of Mogadishu.

Art. 3

Caritas Somalia has its seat in Mogadishu and acts in full autonomy in the ambit of the territorial circumscription of the Diocese of Mogadishu. Its duration is unlimited.

CHAPTER TWO

Aims of the Association

Art. 4

Caritas Somalia is the association through which the Catholic community dedicates itself to the service of the poor. As such Caritas Somalia is the instrument through which the Catholic Community participates actively in the programs of human promotion and solidarity through relief, formation and development.

Art. 5

On the personal and community level Caritas Somalia pursues the objective of spreading the spirit of social justice and charity; and thus:

- a) by strengthening the sense of human dignity;
- b) by contributing to the formation of persons responsible of their own future;
- c) by helping to generate more just and humane situations;
- d) by collaborating in the betterment of conditions of life of the country and in the struggle against the causes and consequences of underdevelopment;
- e) by channeling the contributions coming from other relief organizations.

Art. 6

On the ecclesial level Caritas Somalia pursues the following aims:

- a) to sensitize the authorities and other members of the Catholic Community to an organic and efficacious program proposed by the Diocese;
- b) to promote the exchange of goods and services in all levels of the Catholic Community;
- c) to collaborate with the organisms and associations of the Catholic Church and with all other organisms and associations involved in the work of development aiming at the construction of a more just society;
- d) to collaborate with the local authorities in the measure of its own possibilities in the activities they undertake for the promotion and relief of the poor;

- e) to coordinate the social Catholic activities in view of a greater witness of solidarity within the same community.

Art. 7

In order to reach its own institutional aims, the Association will endeavour to realize the following activities:

- a) to form Caritas cadres with persons endowed with a deep, profound and dynamic faith and a sure communitarian sense;
- b) to conform the mentality and the attitude of the Catholic Community to the precepts of the Gospel and to the social teachings of the Church;
- c) to promote and implement the activities which contribute to the realisation of the above mentioned objectives.

CHAPTER THREE

Patrimony and resources of the Association

Art. 8

The patrimony of the Association is constituted by the following sources of income:

- a) donations, legacies, contributions of physical and moral persons, private and public, national and international;
- b) other acquired goods free of charge or onerously;
- c) all entries from activities proper to the Association.

CHAPTER FOUR
Composition and organs of the Association

Art. 9

1. The Association is composed of effective members and of honorary members.
2. The effective members are:
 - a) the Ordinary of the place, the founding members, the Presidents of the parish Caritas, and one representative of each of the religious Congregations working in Somalia;
 - b) physical or moral persons whose request for membership has been accepted by the Managing Committee.
3. The honorary members are: physical or juridical persons to whom this title has been conferred in recognition for definite services rendered to the Association.
4. The sympathisers are persons who, though not members of the Association, contribute morally and materially to the activities of the Association.

Art. 10

No member can profit for personal or political gains by the name and the prestige of the Association or by the fact that he is a member of it.

Art. 11

The Association carries out its proper activity through its organs. The organs of the Association are: the Ordinary of the place, the General Assembly and the Managing Committee.

Art. 12

The Ordinary of the place is the supreme authority of the Association and has the following functions and attributions:

- a) to appoint the following members of the Managing Committee: the Vice-President, the Director General, the Bursar and the Secretary of the Association;
- b) all the other functions and attributions assigned by the Constitution and the Statute.

Art. 13

1. The General Assembly is constituted by all the effective members of the Association assembled in a common session.
2. The General Assembly deliberates on:
 - a) the appointment of those members of the Managing Committee which are not appointed by the Ordinary of the place;
 - b) the Annual Report of the activities and on the Financial Report of the Association presented by the Managing Committee;
 - c) the final balance and on the programs of the Association; the financial year of the Association closes on the 31st December of each year; at the end of the financial year the Managing Committee shall draw up the balance sheet and the state of assets and liabilities of the Association;
 - d) the modifications to be made to the Statute of the Association;
 - e) all the other subjects submitted to the examination by the Managing Committee.
3. The General Assembly meets in an ordinary session once

a year; and in an extraordinary session every time a need arises.

4. The General Assembly is convoked by the Managing Committee through a written notice served to the associates at least seven days before the date fixed for the meeting.

In the Convocation Notice, the date, the time, the place of the meeting and the agenda must be indicated. In the same notice there could be indicated the date for the second convocation, which must be held within 15 days following the date of the first convocation.

5. The Managing Committee must convoke the assembly also when a written request is made at least by one third of the members of the Association.
6. The meeting of the Assembly is considered valid if there are present in the first convocation not less than two thirds of its components; and in the second convocation at least half plus one of its components. Nevertheless, both in the first and second convocation, the Assembly is not validly constituted if at least two thirds of the members on the Managing Committee are not present.
7. The meeting of the Assembly are presided over by the President of the Managing Committee or, in his absence or impediment, by the Vice-President.
8. The resolutions are passed by a simple majority of those present. In case of parity the President has the casting vote. The resolutions relating to modifications to be made to the Statute of the Association are passed by the approving vote of at least two thirds of the members attending the meeting.
9. The minutes of the Assembly are recorded in a given register by the secretary. The secretary is nominated

among the members present by the President of the meeting. The minutes of the Assembly are signed by the President and the secretary.

Art. 14

1. The Association is managed and administered by a Managing Committee composed of the President, the Vice-President, the Director General, the Bursar, the Secretary and two to four members. The members of the Managing Committee remain in office for three years, with the exception of those who resign or are substituted, and they can be reappointed to their original office. The appointment and the substitution of the members of the Managing Committee is made in accordance with the modalities indicated in the Art. 12/a) and in the Art. 13/ 2a of the Statute. The office of the President within the Committee belongs by right to the Ordinary of the place.
2. The Committee has the faculty to carry out the acts of ordinary and extraordinary administration and all other acts necessary to meet its social ends.
3. The President of the Managing Committee represents the Association to the outside parties, physical or juridical persons, public or private and has the operating signature.

The President can delegate part of his functions and his powers and the signature for given matters to other members of the Committee. He can represent the Association before any juridical or administrative organ; nominate advocates, procurators and arbiters. In case of absence or impediment of the President, his functions and his powers are carried out by the Vice-President.

4. The Committee carries out the following functions:
 - a) provides for the execution of the resolutions of the General Assembly;
 - b) sees yearly to the closing of the financial year and to the drawing up of the budget and the prospects of the financial and patrimonial situation of the Association;
 - c) convokes the General Assembly deciding on the agenda;
 - d) institutes the offices, the commissions and the necessary committees for the carrying out of the adopted programs, by directing and controlling the activity of the above;
 - e) directs the execution of the approved projects;
 - f) controls and follows up the activity of the Parish Caritas and of other organisms related to the Association and provides them with the necessary assistance and guidance;
 - g) to see to the dismissal of the President and of the other members of the Councils of the Parish Caritas in cases of grave reasons.
5. The Committee meets on the convocation of the President; in case of his absence or impediment, of the Vice-President. The meetings of the Committee are valid if at least two thirds of the members are present. The resolutions are passed by a simple majority of the members present at the session; in case of parity the President has the casting vote.
6. The minutes of the meetings of the Committee are recorded in a given register by the secretary, nominated by the President among the members of the Committee. The minutes of the Managing Committee are signed by the President and the secretary.

CHAPTER FIVE

Cessation of membership

Art. 15

1. Status of membership is lost for any of the following reasons:
 - a) voluntary resignation;
 - b) expulsion from the Association;
 - c) temporary suspension;
 - d) death or other impediment.
2. Resignations are tendered in writing to the Secretary, who will see to transmitting them to the Managing Committee at the next meeting.
3. Measures are taken to expel someone when a member becomes guilty of serious and repeated infractions of the prescriptions of the Statute, of the standards of moral discipline and behaviour, or when he engages in reprehensible conduct which in a member would harm the prestige and dignity of the Association.
4. Temporary suspension is imposed for lesser infractions which nevertheless have some gravity.
Measures of expulsion and temporary suspension from status of membership are taken by the Managing Committee on the suggestion of the Ordinary of the place whenever the culpable person, after being called to order by the Ordinary in writing, continues in his infraction of the prescriptions or maintains his former behaviour.
5. Cessation of membership, for any of the reasons indicated in a), b), c), d), and the related procedures are written into the Book of Membership by the Secretary.

6. The one whose membership has lapsed, for any reason or motive, cannot claim any right with regard to the Association.

CHAPTER SIX
The Parish Caritas

Art. 16

The Parish Caritas are the organs of execution and of coordination of the pastoral and social activities in the ambit of the respective parishes. They are governed by their own proper Statute approved by the Managing Committee of the Association.

Art. 17

The Parish Caritas will provide their own autonomous rules for the execution of the functions attributed to them and of their activities. They must present to the Managing Committee of the Association, the annual report of the activities carried out by them and submit to it the annual budget for approval.

CHAPTER SEVEN
Dissolution and liquidation

Art. 18

In case of dissolution of the Association the General Assembly will appoint one or more liquidators fixing their powers.

Art. 19

The liquidators are responsible for their work to the General Assembly. It is the competence of the General

Assembly to decide on the destination of assets resulting from the liquidation of the Association.

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