

MEMORANDUM OF UNDERSTANDING

entered into by and between

LEGAL AID SOUTH AFRICA

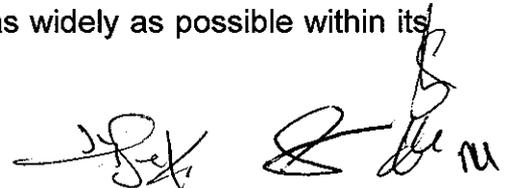
and

Hospice Palliative Care Association of South Africa (HPCA)

(Hereinafter jointly referred to as “the parties”)

1. INTRODUCTION

- 1.1 Hospice Palliative Care Association of South Africa (HPCA) is a national association of up to 156 member hospices working in many different South Africa communities. Its mission is to promote quality in life, dignity in death and support in bereavement for all living with a life-threatening illness by supporting member hospices and partner organisations. HPCA has started a legal training/orientation for social workers and care-workers with Legal Aid staff which engages with a variety of legal concepts including family law— marriage and children—and the law of succession, to assist in the provision of holistic care for patients and their families.
- 1.2 Since embarking on legal training/orientation, HPCA seeks to network with a legal institution in order to create formal organisational recognition and thus strengthen the link between hospice and the legal sector. It has identified Legal Aid SA as an institution that may contribute to, and provide support for effective training and provide access to justice to persons in palliative care.
- 1.3 Legal Aid SA is an autonomous statutory body established by the Legal Aid South Africa Act 39 of 2014 as amended, with its objects being to render or make available legal aid to indigent persons and vulnerable groups as widely as possible within its



financial means, to provide legal representation at State expense as contemplated in the Constitution

- 1.4 Legal Aid SA is able within its available resources and capacity to contribute to, and support HPCA in the provision of effective training, and provide access to legal advice and legal assistance to persons receiving palliative care.

2. PREAMBLE

- 2.1 This is a memorandum of understanding between Legal Aid South Africa and HPCA aimed at creating formal organisational recognition between the parties, and strengthening the link between hospice and the legal sector. Organisational recognition will enhance the contribution made to, and the support given for, effective training and the provision of access to justice to persons receiving palliative care.

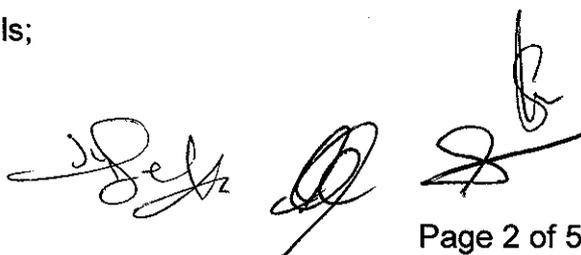
3. OBJECTIVES

- 3.1 To assist in the provision of legal information and legal support to HPCA during training sessions with social workers and care-workers;
- 3.2 To provide access to legal advice and legal assistance to palliative care patients;
- 3.3 To provide palliative care information to Legal Aid SA; with updates on new information from the palliative care sector;
- 3.4 To create an institutional network between the parties;
- 3.5 To provide a frame work on how the service will be facilitated;
- 3.6 To develop a relationship of reciprocity between the two parties.

4. ASSISTANCE ON TRAINING/ORIENTATION (OBJECTIVE 3.1)

- 4.1 Based on capacity Legal Aid SA may contribute to, and provide support to HPCA for effective training on the following issues, but not limited to:

- Assistance with regard to the drafting of wills;
- Power of Attorney;



- Curatorship;
- Curator ad litem;
- Curator Bonis;
- Children`s matters (largely estate) and Guardianship;
- Accessing Guardian`s Fund;

5. PROVISION OF LEGAL ADVICE AND ASSISTANCE (OBJECTIVE 3.2)

- 5.1 HPCA clients may access the services of Legal Aid SA either through Justice Centre or National Call Centre. In instances where the palliative care patient is unable to access such services an arrangement may be made for consultation in the community.
- 5.2 In an effort to provide legal advice and assistance to HPCA, Legal Aid SA may conduct its outreach programme to any HPCA member hospices and partner organisations.

6. MARKETING MATERIALS AND SHARING OF INFORMATION (OBJECTIVE 3.3)

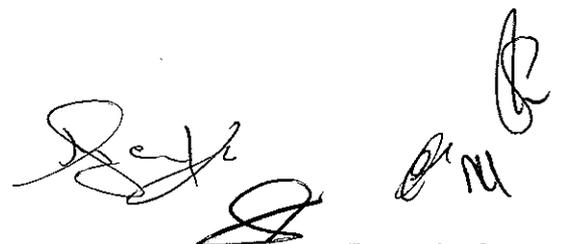
- 6.1 The parties agree to share knowledge and information regarding matters related to the achievement of this MOU.
- 6.2 HPCA may provide Legal Aid SA with information and updates about palliative care.

7. PROGRESS MEETINGS (OBJECTIVE 3.4)

- 7.1 To create an institutional network between the parties, the parties may meet with a view to reviewing this memorandum of understanding and/or to assess the progress made in this regard.

8. COLLABORATION (OBJECTIVES 3.5)

- 8.1 This understanding is entered into for the purpose of collaboration between the parties. The intention is to enhance the strategic objectives of the memorandum of understanding.



8.2 Whilst undertaking a memorandum of understanding, each party will retain its independence.

8.3 The Parties will develop a work plan on how to implement the objectives of this MOU.

9. RECIPROCITY (OBJECTIVE 3.6)

9.1 This MOU seeks to assist in the development of a relationship of reciprocity between the two organisations, creating a network of support and mutual benefit for each.

10. DURATION

10.1 This MOU will commence on the effective date and continue indefinitely, subject to the right of either party to withdraw from it by giving no less than 30 (thirty) days written notice to the other party at the addresses provided herein

11. AMENDMENTS

11.1 This MOU constitutes the whole memorandum of understanding between the parties relating to the subject matter thereof.

11.2 No amendment or consensual cancellation of this MOU or any provision or term therefor of any agreement shall be binding unless recorded in writing signed by both parties.

12. DOMICILIUM CITANDI EXECUTANDI

12.1 The parties choose as their *domicilia citandi et executandi* for all purposes under this agreement, whether in respect of notices or other documents or communication of whatever nature, the following addresses –

Legal Aid South Africa: Legal Aid House, 29 De Beer Street, Braamfontein, Johannesburg, Tel: 011 877 2000; Fax: 011 877 2222

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and cursive, while the one on the right is also cursive but appears to have some initials or a specific mark at the end.

Hospice Palliative Care Association of South Africa: Suite 11a, Lonsdale Building,
Lonsdale Way, Pinelands, 7430 Tel: 021 531 0277; Fax 021 531 1706

SIGNED at Broomfield on this 19th day of March 2015
Witnesses:

1. Shirone C. Stepany Moore

2. [Signature] (Meena Sewsunker)

[Signature]
o.b.o LEGAL AID SOUTH AFRICA
(duly authorised thereto)
P.R. Hundermark

SIGNED at Cape Town on this 19th day of February 2015 in the
presence of the undersigned witnesses.

Witnesses:

1. Allyate

2. [Signature]

[Signature]
o.b.o HPCA
(duly authorised thereto)