

October 27th, 2010

CONSTITUTION

1 NAME

- 1.1 The name of the Watch shall be the Sinoville Neighbourhood Watch, hereinafter referred to as **the SNW**.

2 AREA OF JURISDICTION

- 2.1 The SNW shall include all properties (single residential, sectional title or other cluster developments, business or any other) bounded by the following roads: Ongers road to the East, Braam Pretorius Road to the North, Carlo Road to the West and the Magaliesberg mountain to the South, as well as Nicola road between Molopo road and Knysna road.
- 2.2 The above-prescribed area may be amended from time to time at an Annual General Meeting or Special General Meeting to accommodate prevailing circumstances.

3 AIMS AND OBJECTIVES

The SNW is an independent, non-aligned and voluntary association of members, not for gain, which will:

- 3.1 Focus on matters of community support, disaster management and safety and security and strive to make the SNW area as safe, secure and crime-free as possible;
- 3.2 Foster and maintain a close relationship between the community and the South African Police Services (SAPS), Tshwane Metropolitan Police well as the Tshwane Disaster Management Center;
- 3.3 Engender a spirit of awareness, neighbourliness and co-operation as well as a sense of belonging within the SNW;
- 3.4 Handle any other related legal and civic matters, which may impact on the SNW community;
- 3.5 Co-operate with other civic organisations;
- 3.6 Be financially self-supporting and independent, but non-profit in nature. Income will mainly be derived from donations.

4 MEMBERSHIP AND VOTING RIGHTS

- 4.1 Membership shall be free and voluntary and open to the legal owner or legal occupant of any property within the prescribed SNW area.
- 4.2 A register of members shall be maintained and updated regularly. The register must contain the name, address, identity number and telephone details of the members. A copy of each member's identity document must also be submitted to the secretary. This information is confidential and will not be made available to the general public.

In the case of a natural person, provision shall be made that the name of the registered owner or occupant shall be reflected as the member. In the event of ownership by a company, close corporation or trust, such entity shall nominate one person as its representative. Members will be entitled to one vote per property.

4.3 Only those who have registered in accordance with 4.2 hereof shall be entitled to vote at any meeting of the SNW.

4.4 A member shall be entitled to appoint a proxy in writing to represent him or her at any meeting of the SNW.

4.5 A member may resign in writing to the Management Committee.

4.6 The Management Committee may, in their absolute discretion, terminate membership of any member, provided that ten days written notice is given to any member of the Management Committee's intentions, and that such written notice shall contain full reasons for the Management Committee's intended action. The Management Committee shall consider any written reply.

5 DUTIES, OBLIGATIONS AND FUNCTION OF MEMBERS

5.1 Members will act within the framework of the law.

5.2 Members will have powers to perform citizen's arrest and will adhere to and comply with the requirements of the Criminal Procedure Act No. 51 of 1977.

5.3 The neighbourhood watch will work in partnership with the South African Police Service, as well as the Sinoville Community Policing Forum and local structures for Disaster Management.

6 MANAGEMENT COMMITTEE

6.1 The Management Committee (MANCO) shall manage the affairs of the SNW and shall comprise the elected or nominated Co-ordinators from each road or street in the area described in paragraph 2 above. Where possible, each street shall have 2 Co-ordinators, both of whom shall have equal status.

6.2 Office bearers shall be elected from the Co-ordinators, at the AGM or the first Management Committee meeting and shall be as follows:

The Chairperson

The Deputy Chairperson

The Secretary

The Treasurer

6.3 The Management Committee may temporarily co-opt any person who may assist with specific matters.

7 DUTIES, OBLIGATIONS AND FUNCTION OF OFFICE BEARERS

7.1 The duties and responsibilities of MANCO shall be consistent with normally accepted committee practice.

- 7.2 If the Chairperson or failing him/her, the Deputy Chairperson is not available to act as Chairperson at any meeting, a non-office bearer shall be elected as Chairperson for that meeting.
- 7.3 The Secretary shall reply to correspondence in the language of the correspondent, or shall do so in English.
- 7.4 The Treasurer shall record all financial transactions in proper books of account. The books shall be revised by an external agent annually. At ordinary MANCO, special MANCO Meetings and at the Annual General Meeting, the Treasurer shall furnish details of the movement of funds.

8 MEETINGS

The following meetings shall take place;

- 8.1 The AGM shall be held during September/October of each year on a day to be determined by the Management Committee.
- 8.2 Ordinary MANCO Meetings to be held on a date to be determined by MANCO and shall be held at least every three months.
- 8.3 Special MANCO Meetings shall be held on a date to be determined by the Chairperson.
- 8.4 Special General Meetings shall be convened by MANCO to consider matters requiring urgent attention.
- 8.5 The Secretary shall give notice in writing to members of any of the above meetings at least 14 days prior to the date of the proposed meeting and shall attach an agenda.
- 8.6 Resolutions shall be accepted by a majority of the members present. In the event of a tie, the Chairperson shall have a casting vote.
- 8.7 All meetings shall be conducted in accordance with normally accepted procedures and practice.

9 QUORUM

- 9.1 A quorum at a member's meeting (i.e. AGM etc) shall be 15% of the member properties.
- 9.2 For all other meetings, a quorum shall be 50% plus one (i.e. MANCO etc).

10 FINANCE

- 10.1 A bank account in the name of the SNW will be opened if the income of the SNW exceeds R500-00. All monies received shall then be banked in an account to be opened in the name of the SNW. The treasurer will be responsible for the safe-keeping of any monies until such time as a bank account can be opened.

- 10.2 Withdrawals shall only be made on the authorisation in writing of any two of the following office bearers:
The Chairperson
Deputy Chairperson
The Treasurer

11 CODE OF CONDUCT

- 11.1 No ordinary or Committee member may exploit their membership to their own personal advantage.
- 11.2 No member shall accept any payment, commission or gratuity in connection with their membership, except after being authorised to do so by the Management Committee.
- 11.3 Committee members shall not use their membership to promote the aims and objectives of any political organisation.
- 11.4 No member shall display racism, gender or religious discrimination or bias, nor use any form of abuse to any person.
- 11.5 Any Committee member who is being prosecuted for a serious offence or who is on bail for such offence, shall be temporarily suspended until the case is resolved.

12 COMMUNITY EMERGENCY RESPONSE TEAM

- 12.1 A neighbourhood watch Community Emergency Response Team (CERT) will be established as a Disaster management volunteer Unit in line with section (58) of Act 57 of 2002: Disaster Management Act.
- 12.2 The neighborhood watch will also act as a Disaster Management Consultative Forum (DMCF) as per 1.3.2.2 in SJ 8NDMF Disaster Framework 2005 for the area.
- 12.3 Both the CERT volunteer unit and the DMCF will comply with the criteria of, and be registered with, the Tshwane Disaster Management Centre as prescribed in The Disaster Management Regulations: Act 57 of 2002 Disaster Management Act.
- 12.4 The CERT volunteer unit will act to support the local authorities during any emergency situation within the scope and parameters as laid down by the various statutory and regulatory bodies that has jurisdiction in the given area.
- 12.5 The CERT will combine the duties and responsibilities of a neighborhood watch with a Disaster Management Volunteer Unit. The scope of activities and requirements for the CERT will be established by, and may vary from time to time, as per the CPF Community Safety Plan and the DMCF Community Disaster Management Plan.
- 12.6 A co-ordinator will be appointed for each of the requirements in 12.5. The various members of the CERT will be required to do training in the specific requirement areas they want to be involved in.
- 12.7 The requirement co-ordinator, along with the MANCO will be responsible for:

- liaising with the relevant authorities
- procurement of training
- procurement of equipment and or funding for equipment
- safekeeping and maintenance of all equipment procured or borrowed

12.8 All procured equipment will be the property of the neighbourhood watch and must be placed under the care of the MANCO or new co-ordinator should a membership be terminated for whatever reason.

13 OTHER RELATED ORGANISATIONS

The SNW shall seek affiliation with and representation on the Sinoville Community Policing Forum as well as associated civic organisations and shall co-operate with contiguous neighbourhood watches.

14 AMENDMENTS TO THE CONSTITUTION

The Constitution may be amended at an AGM or Special General Meeting convened for the purpose, provided the specified requirements for a quorum are met. Proposals for amendments which are seconded and submitted in writing to the Secretary at least 30 days before the meeting shall be included in the notice of such meetings.

15 SETTLEMENT OF DISPUTES

All differences or disputes arising and not otherwise expressly provided for in this Constitution, or any doubt as to the intended meaning or interpretation of this Constitution, shall be referred to the Management Committee for a decision.

16 INDEMNITY

16.1 No Committee member to be held responsible for any outstanding debts and/or liabilities arising out of the bona fide management of the SNW.

16.2 The neighbourhood watch structures will not be responsible for civil and or criminal actions or omissions that are perpetrated by a member of a neighbourhood watch structure, nor responsible for civil and or criminal actions against its members.

17 DISSOLUTION OF THE SNW

In the event of the SNW being dissolved, wound up or liquidated, all its assets remaining after the satisfaction of its liabilities shall be transferred to some other neighbourhood watch, society or association having objectives similar to the SNW.