

CONSTITUTION OF THE GARSB3 RESIDENTS' ASSOCIATION

1. NAME

- 1.1. The name of this Association shall be GARSB3 (hereinafter referred to as "The Forum")
- 1.2. The Registered Address of the GarsB3 Residents' Association will be and chooses as its domicilium citandi et executandi:
GARSB3 Residents' Association
Care of Kiddies Academy
338 Kommetjie Crescent
Garsfontein 0081

2. GEOGRAPHICAL AREA

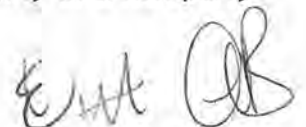
- 2.1. The FORUM area shall be defined as the area bordered by Serene Drive, Winfred Yell Street and Jacqueline Road. (hereinafter referred to as "the Area"). Residents and businesses residing in the area will collectively be referred to as the "GarsB3 Community".

3. LEGAL PERSONALITY

- 3.1. The Forum is a legal structure without profit aim which, notwithstanding any change of its members or management, will exist as a voluntary organization, thus a legal entity which independently of its members, owns assets, incurs losses and liabilities and institutes legal proceedings;
- 3.2. Immovable property or registerable rights in immovable property obtained by the Forum are registered in the name of the Forum, and all legal acts performed by the Forum are by its organs, officials and/or representatives;
- 3.3. Members have as such no claim to any property or coincidental profit of the Forum;
- 3.4. Indemnity for individual members against legal action arising out of Forum activity.

4. OBJECTIVES

- 4.1. **Primary objectives:**
 - 4.1.1. To provide a Forum for the development of projects and strategies that will:
 - 4.1.1.1. showcase the Forum area in terms of being a good place for recreation, learning, lifestyle, spiritual and emotional well-being, doing business, living, working and raising a family;
 - 4.1.1.2. promote the core values of the Forum amongst all members of the Forum, namely :
 - positive morals
 - positive family values
 - respect for other people, irrespective of colour, race or gender.
 - respect for others' property
 - 4.1.3. contribute to the conservation of the flora and fauna, parks and gardens, heritage buildings and similar items requiring conservation effort, in the Forum area;
 - 4.1.4. assist those in need in the Forum area, via the provision of appropriate support including but not limited to the provision of personal support services, counselling and other appropriate interventions.
 - 4.1.5. Develop mutual understanding on a cross-cultural level, and to act maturely, diplomatically and in a civilised manner to members, the SAPS and non-members.
 - 4.1.6. Establish and maintain a partnership between the police and the GarsB3 Community to promote crime prevention:
 - Promote communication between the SAPS and the local GarsB3 Community.
 - Promote co-operation between the SAPS and local GarsB3 Community in a non-party-



- political way,
- Jointly with the SAPS, identify, prioritise and solve problems related to crime, disorder, fears, and poor police/ GarsB3 Community relations and service delivery,
- Jointly with the SAPS, develop ways to promote police transparency and accountability,
- Promote respect for human rights within the ranks of the SAPS.
- Monitor the police service which include:
 - The procurement, positioning and staffing of police stations,
 - The receiving and processing of complaints and charges,
 - The provision of protection services at gatherings,
 - The patrolling of residential and business areas, and
 - The prosecution of offenders.

4.2. Secondary objectives:

- 4.2.1 To promote membership of the Forum amongst the GarsB3 Community.
- 4.2.2 To keep the GarsB3 Community informed of events and strategies being implemented by the Forum in the Forum area.
- 4.2.3 To liaise with the local police, municipal and relevant authorities as required to achieve the aim, objectives and secondary objectives of the Forum.
- 4.2.4 To raise and administrate funds and personnel required to implement any events and strategies decided upon by the Forum.
- 4.2.5 To acquire the necessary equipment, resources and other items required for the fulfilment of its aim, objectives and secondary objectives.
- 4.2.6 To enter into contracts and agreements to implement any events and strategies decided upon by the Forum.
- 4.2.7 To acquire the necessary equipment, resources and other items required for the fulfilment of its aim, objectives and secondary objectives.
- 4.2.8 To enter into contracts and agreements to implement any events and strategies approved by the Executive Committee.
- 4.2.9 Encourage and promote objective and fair media coverage of GarsB3 Community and policing activities.

5. MEMBERSHIP

- 5.1. The Forum shall be open to all individuals, residents, representatives of organisations and institutions of the GarsB3 Community, and
- 5.2. Membership fees shall be payable in respect of decisions taken at the Annual General Meeting.

6. MANAGEMENT

- 6.1. The Forum shall be managed by an Executive Committee which shall be elected from the Representatives of the GarsB3 Community at the Forum's Annual General Meeting (AGM).
- 6.2. Elected members of the Executive Committee shall serve for 12 months from 1 August until 31 July of the next year and will be eligible for re-election.
The Executive Committee will comprise of:
 - 6.2.1. A Secretariat, which includes
 - 6.2.1.1. Chair,
 - 6.2.1.2. Vice-Chair,
 - 6.2.1.3. Secretary,
 - 6.2.1.4. Treasurer,
 - 6.2.2. Block Leader, as appointed by the secretariat
 - 6.2.3. Committee members (minimum 5 and maximum 8)
- 6.3. The Street representatives of all streets in the area will be appointed and coordinated by the Vice-Chair.

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- 6.4. Radios and persons patrolling will be coordinated by the Block Leader.
- 6.5. Each committee member will be elected to manage one or more portfolios.
- 6.6. If an office bearer of the Executive Committee is absent without a valid apology for three consecutive meetings, the seat will automatically become vacant, and filled by following the prescribed election procedure.
- 6.7. The Executive Committee has the right to co-opt persons in an advisory capacity to:
 - 6.7.1. Serve on a committee for such a period as the Forum may determine;
 - 6.7.2. Attend a particular meeting of a Committee; and
 - 6.7.3. Take part in the consideration by a Committee of a particular issue.
- 6.8. A person co-opted in terms of the above clause shall serve on the Committee in question or attend meetings in an advisory capacity and shall not be entitled to vote on any resolutions within the Forum or the Committee.
- 6.9. The Executive Committee shall ensure that proper minutes and records are kept of all meetings.
- 6.10. The Executive Committee shall be responsible for the day-to-day general management and financial control of the Forum.

7. ELECTION OF A FORUM EXECUTIVE COMMITTEE

- 7.1. The Executive Committee of the Forum shall be elected at the Annual General Meeting.
- 7.2. Nominations shall close fourteen days before the Annual General Meeting.
- 7.3. The street representatives of each of the street in the Area shall be notified of the nominees for each portfolio at least ten days prior the elections.
- 7.4. The elections shall be held before the end of July of every year.
- 7.5. In the event of an Executive Committee member unable to fulfil his/her duties a special general meeting shall be convened to elect new members at a date, time and place to be determined by the Executive Committee.

8. VOTING RIGHTS

- 8.1. Any person that fulfils the requirements of membership can vote on the AGM.
- 8.2. In the event of an equality of votes, the current chair shall have a casting vote.

9. VOTING PROCEDURE

- 9.1. Voting during the Forum meetings shall be conducted by a show of hands.
- 9.2. Voting during the election of the Executive Committee shall be through secret ballot.
- 9.3. Voting during the Executive Committee meetings shall be conducted by a show of hands.

10. MEETINGS

- 10.1. Annual General Meeting (AGM)
 - 10.1.1. An Annual General Meeting shall be convened before the 31st of July every year to, amongst other business:
 - i. Discuss the Annual Report presented by the Executive Committee, including a discussion and approval of the Financial Statements of the Forum.
 - ii. Discuss and draft resolutions on matters pertaining to the objectives of the Forum; and



iii. Every year, elect an Executive Committee.

10.2. Special General Meetings

- 10.2.1. The Executive Committee may instruct the Secretary to convene a special general meeting to discuss and rule on special matters; or
- 10.2.2. The Secretary shall upon written request from at least two thirds of the members of the Forum, call a Special General Meeting to discuss and resolve on issues stated clearly in writing by the members concerned. Notice in writing of such a meeting shall be given to members at least fourteen (14) days prior to the convening of the Meeting.
- 10.2.3. Special General Meetings will be restricted to one agenda point only.

10.3. Executive Committee Meetings

- 10.3.1. The Executive Committee shall convene monthly meetings. In addition, they may convene meetings as and when they deem it necessary.

11. QUORUM

11.1. Annual General Meetings

- 11.1.1. At least 20 plus one (1) of all members of the Forum shall constitute a quorum.
- 11.1.2. If a quorum is not attained at the convening of a scheduled AGM or General Forum Meeting, the meeting shall adjourn for at least thirty minutes, where after if the quorum is still not attained, the meeting shall be rescheduled to a date not exceeding fourteen (14) days.
- 11.1.3. The notice of the re-scheduled meeting shall be issued in writing by the Secretary of the Executive Committee within five (5) days from the date of the adjourned meeting.
- 11.1.4. At the re-scheduled meeting, if no quorum is present, the meeting shall continue provided a record of the Notice is presented by the Secretary and confirmed by the members present.

11.2. Executive Committee Meetings

- 11.2.1. At least 4 plus one (1) of the Executive Committee members shall constitute a quorum.
- 11.2.2. If a quorum is not attained at the convening of a scheduled Executive Committee meeting, the meeting shall adjourn for at least thirty minutes, where after if the quorum is still not attained, the meeting shall be rescheduled to a date not exceeding seven (7) days later.
- 11.2.3. The Notice of the re-scheduled meeting shall be issued by the Secretary of the Executive Committee within two (2) days from the date of the adjourned meeting.
- 11.2.4. At the re-scheduled meeting, if no quorum is present, the meeting shall continue provided a record of the notice is presented by the Secretary and confirmed by the members present.

11.3. Special Meetings

- 11.3.1. At least 20 plus one (1) of all members of the Forum shall constitute a quorum.
- 11.3.2. If a quorum is not attained at the convening of a Special Forum Meeting, the meeting shall adjourn for at least thirty minutes, where after the meeting shall continue provided a record of the Notice is presented by the Secretary and confirmed by the members present.

12. FINANCIAL ADMINISTRATION

- 12.1. The Forum must open and maintain a bank account in its name at a registered bank in which all funds received by the Forum shall be deposited and controlled by the Executive Committee.
- 12.2. No person may keep funds received by the Forum in his or her personal control.
- 12.3. Prior written approval must be obtained from the Executive Committee for all expenditure.
- 12.4. Receipts must be obtained for all expenditure and timely be submitted to the Treasurer.
- 12.5. The Chair and/or Vice-Chair in conjunction with the Treasurer shall be designated joint signatories to any financial transaction, provided that any two of the signatures will suffice.



- 12.6. An acceptable set of financial records shall be maintained by the designated person and shall be available to any member on request.
- 12.7. The Treasurer shall table a financial report at each monthly Executive Committee meeting and at General Forum Meetings.
- 12.8. The year-end financial statements of the Forum shall be independently reviewed and shall form part of the annual report to be presented at the Forum's AGM. Books will be audited annually once the funds exceed R250 000.

13. DUTIES OF THE EXECUTIVE COMMITTEE:

- 13.1. Promote, develop and implement community policing in the Precinct,
- 13.2. Maintain efficient control over the Forum and its members,
- 13.3. Appoint at its own discretion sub-committees, co-opt members, within the statutory mandate, to serve on these sub-committees, direct issues and allocate tasks to these sub-committees,
- 13.4. Assume responsibility for the general management and financial control of the Forum.

14. DUTIES OF OFFICE BEARERS

14.1. Duties of the Chair

- 14.1.1. Ensure execution of all decisions of the Executive Committee.
- 14.1.2. Preside over meetings of the Forum.
- 14.1.3. Present reports on the activities of the Forum at all meetings.
- 14.1.4. Supervise all work of the Forum in conformity with this Constitution, the relevant legislation and procedures agreed upon by the Forum.
- 14.1.5. Be responsible for communication.

14.2. Duties of the Vice-Chair

- 14.2.1. Manage and communicate with the Street Representatives.
- 14.2.2. The Vice-Chair shall perform other duties as assigned by the executive Committee.
- 14.2.3. In the Chair's absence, the Vice-Chair shall assume all functions of the Chairperson.
- 14.2.4. In the absence of both the Chair Vice-Chair, the Executive Committee shall nominate one of their members to preside at such a meeting.

14.3. Duties of the Secretary

- 14.3.1. Take minutes in accordance with the provisions of this Constitution, or in absence, arrange for minutes to be taken.
- 14.3.2. Receive and dispatch correspondence to and from the Forum.
- 14.3.3. Arrange all meetings.
- 14.3.4. Ensure the safekeeping of all official documents of the Forum other than financial records, unless the post of Secretary is combined with that of Communication officer.
- 14.3.5. Perform all other duties usually associated with the office of a Secretary.
- 14.3.6. Further the interest of the Forum as instructed by the Executive Committee.

14.4. Duties of the Treasurer

- 14.4.1. Be responsible for the finances of the Forum and ensure strict compliance with the relevant financial policies.
- 14.4.2. Together with the Chair, Vice-Chair and Secretary of the Forum, operate a banking account on behalf of the Board.
- 14.4.3. Keep books of account and other records necessary to clearly reflect the financial position of the Forum, which should include assets belonging to the Forum.
- 14.4.4. Table a financial report at every General Forum Meeting, an annual financial report and a budget at every AGM, with a final report at the end of his / her term of office.



14.5. Duties of the Communication officer

- 14.5.1. Assist the Secretary in the execution of his/her duties.
- 14.5.2. Receive and dispatch information and correspondence to and from the Forum.
- 14.5.3. Ensure the safekeeping of all official documents, financial records and assets of the Forum.
- 14.5.4. Perform such administrative functions as may be determined by the Executive Committee.

14.6. Duties of Additional Members

- 14.6.1. The additional members shall manage portfolios to which they were elected or appointed, including sub-committees.
- 14.6.2. The additional members shall perform such advisory functions as the executive Committee may decide.

15. AMENDMENTS

- 15.1. Any amendments to the Constitution will be considered and voted upon at the Annual General Meeting or a Special General Meeting convened for this specific purpose.
- 15.2. In the case where amendments are considered at an Annual General Meeting, a majority vote of two thirds of those present is required, and at a Special General Meeting a 75% majority vote of those present is required to effect changes.
- 15.3. The method of voting for amendments is applied mutatis mutandis on voting in general in terms of the Constitution.
- 15.4. Any motion to amend the Constitution must be presented in writing, signed by the proponent and one secundae and must be delivered to the Secretary at least 7 days prior to the meeting.

16. DISSOLUTION

- 16.1. The Treasurer will present a complete audited financial report to the FORUM together with the instructions pertaining to the dissemination of the liquidated funds and assets.

17. INTERPRETATION

- 17.1. The Constitution shall be interpreted in accordance with the South African law.

THIS CONSTITUTION OF GARSB3 RESIDENTS' ASSOCIATION WAS DULY ASSENTED TO AND ADOPTED AT THE FORUM'S AGM OF DELEGATES FROM THE FORUM, AFTER HAVING BEEN CIRCULATED FOR COMMENTS AND PRESENTED TO THE FORUM.

Thus signed on this day 6th of JUNE 2014

at GARSFONTEIN PRETORIA

Signed [Signature] name A. BODENSTEIN
CHAIR - GARSB3-RESIDENTS' ASSOCIATION

WITNESSES :

1. signed [Signature] name Daleen Meyer

2. signed [Signature] name Lieze Enslin