

CONSTITUTION

KOMMETJIE NEIGHBOURHOOD WATCH

Ver. 2.0 Jan 2008

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1. ARTICLE 1: NAME AND STATUS OF NEIGHBOURHOOD WATCH

- 1.1. The organisation hereby constituted will be called the “Kommetjie Neighbourhood Watch”.
- 1.2. Its shortened name will be KNW (hereinafter referred to as the organisation)
- 1.3. Body Corporate. The organisation shall:
- 1.4. Exist in its own right, separately from its members
- 1.5. Continue to exist even when its membership changes and there are different office bearers.
- 1.6. Be able to own property and other possessions.
- 1.7. Be able to sue and be sued in its own name.

2. ARTICLE 2: AIM

- 2.1. The aim of the Kommetjie Neighbourhood Watch is to strive for a safe and secure environment by serving as a watchdog over the community of Kommetjie.

3. ARTICLE 3: OBJECTIVES

- 3.1. To discourage, through our presence/awareness, any prospective criminals.
- 3.2. To make the residents of Kommetjie aware of safety, crime prevention and the protection of their families and property.
- 3.3. Arrange and provide for, or join in arranging and providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses.
- 3.4. To encourage the community of Kommetjie to cooperate with the SA Police Services and local authorities involved in law enforcement.
- 3.5. To maintain an accurate data base of all criminal activity in the Kommetjie area.

4. ARTICLE 4: INCOME AND PROPERTY

- 4.1. The organisation will keep a record of everything it owns.
- 4.2. The organisation may not give any of its money or property to its members or office bearers. The only time it can do this is when it pays for work that a member or office bearer has done for the organisation. The payment must be a reasonable amount for the work that has been done.
- 4.3. A member of the organisation can only get money back from the organisation for expenses that he or she has paid for on behalf of the organisation.
- 4.4. Members or office bearers of the organisation do not have rights over things that belong to the organisation.

5. ARTICLE 5: MEMBERSHIP

- 5.1. The Kommetjie Neighbourhood Watch is a non-profit making organisation providing a service to the community. Membership is voluntary and open to any Kommetjie resident over the age of eighteen. Membership shall be for those persons who wish to participate in the objectives of KNW and shall be by registration on the KNW database. The KNW database of members shall have accessibility strictly limited to responsible KNW organisers approved by the management committee.
- 5.2. Members of the organisation should attend its annual general meetings. At the annual general meeting members may exercise the right to determine the policy of the organisation.

6. ARTICLE 6: MANAGEMENT COMMITTEE (hereinafter referred to as The Committee)

- 6.1. The KNW will consist of a Management Committee, Sector Leaders and ordinary members.
- 6.2. The Management Committee will consist of:
 - a. Chairperson
 - b. Vice Chairperson (Public Relations Officer)
 - c. Treasurer
 - d. Secretary
 - e. Three other elected members
 - f. Six Sector Leaders
- 6.3. The Chairperson shall be elected by the Management Committee and shall serve for as long as he/she has the support of the committee.
- 6.4. The rest of the Committee members shall be elected by majority vote at the Annual General Meeting. Committee members will serve for one year, but they may stand for re-election for as long as their services are required and offered.
- 6.5. A member of the management committee, who does not attend the management committee meetings regularly without having applied for and having obtained leave

of absence from the management committee, may be replaced at the committee's discretion.

7. ARTICLE 7: POWERS OF THE MANAGEMENT COMMITTEE

- 7.1. Management: The day to day management of the affairs of the KNW is vested in the Management Committee. The management committee may take on the power and authority that it believes its needs to be able to achieve the objectives stated in this constitution. Its activities must abide by the law.
- 7.2. Powers: Without detracting from its management responsibility the Management Committee shall have the powers to:
- a. Appoint Committees, Sub-committees and Representatives to carry out specific tasks delegated to them. The decisions that sub-committees take must be given to the management committee. The management committee must decide whether to agree to them or not at its next meeting. By agreeing to decision the management committee ratifies them.
 - b. Make, amend, rescind and enforce by-laws and rules of conduct for the efficient running of the affairs of the KNW.
 - c. Determine subscription fees.
 - d. Raise funds or invite and receive contributions.
 - e. Allocate and spend KNW funds as required to run the organisation effectively.
 - f. Appoint interim members to fill vacancies on the Committee.
- 7.3. All members of the organisation have to abide by the decisions that are taken by the management committee.

8. ARTICLE 8: MEETINGS

- 8.1. Committee Meetings
- a. Committee meetings shall be held at least monthly or as required by the Chairperson.
 - b. Five members shall be a quorum at such meetings. There shall be no voting by proxy.
 - c. The chairperson shall act as the chairperson of the management committee. If the chairperson does not attend a meeting, then the members of the committee who are present choose which one of them will chair the meeting. This must be done before the meeting starts.
 - d. When necessary, the management committee will vote on issues. If the votes are equal on an issue, then the chairperson has either a second or a deciding vote.
 - e. Minutes of all meetings must be kept safely and always be on hand for members to consult.
 - f. Minutes will be taken at each management committee meeting. The minutes of each meeting will be forwarded to management committee members at least five days before the following meeting. The minutes shall be

confirmed as a true record of the proceedings at this meeting and shall thereafter be signed by the chairperson.

8.2. General Meetings

- a. The Annual General Meeting must be held once every year, following shortly after the end of the organisations financial year.
- b. Notice must be given to members not less than ten (10) days before the meeting. Notice made by hand-delivered newsletter or appearing in the local (knock & drop) newspaper shall be deemed adequate for the purposes of such notice.
- c. The organisation should deal with the following business, amongst others, at its annual general meeting.
 - Agree to the items to be discussed on the agenda
 - Make an attendance register
 - Read and confirm the previous meetings minutes with matters arising.
 - Chairperson's report.
 - Treasurer's report.
 - Changes to the constitution that members may want to make.
 - Elect new office bearers.
 - General.
 - Close the meeting.

8.3. A Special General Meeting may be convened at the request of thirty percent of the ordinary members of the KNW. Notice as defined under 8.2b must be given prior to such meeting.

8.4. Half of the ordinary members shall be a quorum at General Meetings. At such meetings each member present is entitled to one vote, and there will be no voting by proxy. In the case of any equality of votes the chairperson of the meeting shall have a second or deciding vote.

9. ARTICLE 9: ENTRANCE FEE AND SUBSCRIPTION

9.1. The entrance fee and subscriptions shall be laid down by the Committee from time to time.

9.2. Proposed changes to fees shall be ratified at a General Meeting.

10. ARTICLE 10: FINANCIAL MATTERS AND EXPENDITURE

- 10.1. An Accounting Officer shall be appointed at the annual general meeting. His or her duty is to audit and check on the finances of the organisation.
- 10.2. The Treasurer's job is to control the day to day finances. The Treasurer is responsible for the accurate recording of the KNW income and expenditure. The Treasurer will present a statement of income and expenditure up to the end of the previous month at every KNW Management Committee meeting.
- 10.3. The KNW is to open a bank account into which all funds are to be deposited. The Treasurer shall arrange for banking of all funds in the name of the organisation. Whenever funds are taken out of the bank account, the treasurer and chairperson, or one other member of the management committee must sign the withdrawal or cheque. If the organisation has funds that can be invested, the funds may only be invested with registered financial institutions. The organization can approach different banks to seek advice on the best way to manage its funds.
- 10.4. The Treasurer will keep an auditable financial system which will be available for scrutiny at any arranged time.
- 10.5. The financial year of the organization ends on the last day of February. The Treasurer will present a consolidated Income and Expenditure Report, duly audited for approval by the Annual General Meeting, once a year.
- 10.6. The KNW shall be permitted to hold fund-raising campaigns for the purposes of furthering its aim and objectives.

11. ARTICLE 11: LIABILITY

- 11.1. The KNW shall not be responsible for civil or criminal acts/omissions perpetrated by any member. Individual members of the KNW act in their own capacity and shall be liable in that capacity.

12. ARTICLE 12: INDEMNITY

- 12.1. Each member (who voluntarily becomes a member of the KNW) is required to sign a form indemnifying the KNW from any illegal actions by the member.

13. ARTICLE 13: ACCOUNTABILITY

- 13.1. The KNW shall be accountable to the local Community Police Forum in the Ocean View Police Area.

14. ARTICLE 14: AFFILIATION

- 14.1. The KNW is affiliated to the local Community Police Forum in the Ocean View Police Area.

15. ARTICLE 15: FUNCTIONS

- 15.1. The KNW must assist the South African Police Services in so far as crime prevention in its area is concerned.
- a. The KNW must operate within the framework of the law.
 - b. Members of the KNW shall have the power to make a citizens arrest as set out in the Criminal Procedure Act, Act 75 of 1977.
 - c. The KNW must work in partnership with the Community Police Form in the area.
 - d. The KNW shall be responsible for initiating and implementing crime prevention projects in consultation with the local Community Police Form.

16. ARTICLE 16: LOGO AND LETTERHEADS

- 16.1. The KNW shall design and use its own logo and letterhead. The logo and letterhead must be different to the one used by the SAPS or the local Community Police Forum.

17. ARTICLE 17: IDENTITY CARDS

- 17.1. All members of the KNW shall carry Identity Cards. This card shall bear the member's photo, ID number and name.

18. ARTICLE 18: CHANGES TO THE CONSTITUTION

- 18.1. 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 to change the constitution.
- a. Half the members shall constitute a quorum at such a meeting
 - b. Notice has to be given to the members not less than ten (10) days before the meeting at which the changes to the constitution are to be proposed. Notice may be by hand-delivered newsletter or appearing in the local (knock and drop) newspaper shall be deemed adequate for this purpose. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
 - c. Members wishing to suggest changes to the constitution must submit these in writing to the Committee, and the Committee will include these proposals when drafting the notice for the next available general or special meeting.

19. ARTICLE 19: DISSOLUTION/WINDNG-UP

- 19.1. The organisation may close down if at least two-thirds of the members of KNW are in favour of such closing down and are present and so vote at a special meeting specifically convened for the purpose of considering this matter.
- 19.2. When the organisation closes down, it must pay off all its debts. After doing this, if there is any property or money left over, it may not be paid or given to members of

the organisation. It should be handed over to another registered non-profit organisation that has similar objectives. The organisations final general meeting may decide what organisation this should be.

**This constitution was approved and accepted by members of the
Kommetjie Neighbourhood Watch at a special (general) meeting held at
Kommetjie on (date) _____.**

(Mr. R BOCKER)

SECRETARY KOMMETJIE NEIGHBOURHOOD WATCH

(Mr. R. DAUNCEY)

CHAIRMAN KOMMETJIE NEIGHBOURHOOD WATCH

(Supt S. ABRAHAMS)

STATION COMMISSIONER OCEAN VIEW POLICE POLICE AREA: SUPT

(Ms. P. MOATSE)

CHAIRMAN COMMUNITY POLICE FORUM OCEAN VIEW

APPENDIX - CODE OF CONDUCT- KOMMETJIE NEIGHBOURHOOD WATCH MEMBERS

- a. The Kommetjie Neighbourhood Watch Constitution and this Code of Conduct shall be binding on all its members.
- b. No member of the Kommetjie Neighbourhood Watch may take the law into his/her hands. Violence will not be tolerated.
- c. No form of discrimination will be tolerated.
- d. Should a member be found guilty of a serious offence, membership will be terminated or suspended.
- e. Members of the Kommetjie Neighbourhood Watch may not divulge any confidential or privileged information that they may have acquired as a result of their membership.
- f. No member of the Kommetjie Neighbourhood Watch may address the media or make public statements re neighbourhood watch business unless authorised by the Management Committee.
- g. No member of the Kommetjie Neighbourhood Watch may accept payment, commission or gratuity re his membership of the Kommetjie Neighbourhood Watch unless authorised by the Management Committee.
- h. No member of the Kommetjie Neighbourhood Watch may exploit his/her membership of the Kommetjie Neighbourhood Watch for his/her personal advantage or benefit.
- i. Members of the Kommetjie Neighbourhood Watch must at all times act in a manner that will uphold and promote its aim and objectives.

APPENDIX - STRUCTURE

- a. The Kommetjie Neighbourhood Watch shall be a non-profit making organisation.
- b. The Kommetjie Neighbourhood Watch has no political affiliations.
- c. Kommetjie Neighbourhood Watch will operate in partnership with the SAPS.
- d. The Kommetjie Neighbourhood Watch, when doing patrols, will only use minimum force as described in the Criminal Procedures Act, Act 75 of 1997 to arrest an offender. No one may be intimidated by these patrols.
- e. The Kommetjie Neighbourhood Watch structure and its members is not a substitute for the South African Police Services.