

Gardens Neighborhood Watch (Gardens Watch) CONSTITUTION (May 2107)

1. NAME

The name of the Neighborhood Watch shall be GARDENS NEIGHBOURHOOD WATCH (GARDENS WATCH).

2. OBJECTIVES AND POWERS

The objectives of the GARDENS WATCH shall be in respect of the whole area of Gardens, as depicted in the map in Annexure 1 area to:

- 2.1 Comply at all times with the provisions contained in the Western Cape Provincial Constitution and Code of Conduct for Neighborhood Watch Structures (WCNWS) May 2003 and in the event of there being any conflict between WCNWS and this Constitution the provisions of WCNWS shall prevail.
- 2.2 Lobby National, Provincial and City Government on all issues of Public Safety under the Codes contained in WCNWS; and seek and obtain funding and resources (including SAPS reinforcement) through the Community Police Forum from any available governmental or departmental source;
- 2.3 Arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses;
- 2.4 Promote and carry out or assist in promoting and carrying out research, surveys and investigations and publish results thereof;
- 2.5 Collect and circulate information on all matters affecting the above purposes and exchange such information with other bodies having similar purposes;
- 2.6 Accept gifts in such a manner as GARDENS WATCH shall think fit, subject to such consents as required by law, as detailed in the WCNWS;
- 2.7 Procure contributions to GARDENS WATCH by personal or written appeals, public meetings or otherwise, subject to such consents as required by law;
- 2.8 Appoint and constitute such advisory committees as the Executive Committee may think fit;
- 2.9 Do all such other lawful things as are necessary for the attainment of the said purposes.

3. MEMBERSHIP REQUIREMENTS

- 3.1 Membership of GARDENS WATCH is open to any person living, working or owning property in the Gardens area.
- 3.2 Applicants apply to the Committee for registration and the Committee may request reasonable information from an applicant before granting membership.
- 3.3 The Committee shall not reject an applicant without sufficient reason.
- 3.4 Prior to registration, all members will be required to sign the Constitution and agree to abide by the Code of Conduct.
- 3.5 A database of registered members and interested parties will be maintained and details of which would be available on request. A contact list will be available to registered members on the GARDENS WATCH website. Personal details will only be available to the EXCO.

- 3.6 Only registered members who have signed the constitution and who have agreed to abide by the Code of Conduct are entitled to vote at General Meetings of GARDENS WATCH.
- 3.7 A member may resign by email notice to the GARDENS WATCH secretary/membership coordinator.
- 3.8 The Committee may in their absolute discretion terminate membership of any member provided that ten days notice is given to any member of the Committee's intentions and that such notice contains full reasons for the Committee's intended action. Any written reply shall be considered by the Committee.

4. OFFICES

- 4.1 At the inaugural meeting of the GARDENS WATCH, the following offices will be voted on, which will form the Executive Committee (hereafter 'the Committee'): Police liaison, Secretary, Treasurer and 2 general members for special projects.
- 4.2 Only registered members who have signed the Constitution and agree to abide by the code of conduct are eligible to stand for any of the above offices.
- 4.3 A Chairperson will be elected by the Committee.
- 4.4 The Crime Prevention Officer of SAPS (from time to time) is the only person entitled under the WCNWS to make or issue any statement to the media of any matters or issues concerning GARDENS WATCH.
- 4.5 The Chairperson of GARDENS WATCH shall be the Chairperson of the Committee and shall hold office until the conclusion of the Annual General Meeting of GARDENS WATCH next after election but shall be eligible for re- election for a maximum of three consecutive years.
- 4.6 Should members of the Committee deem it necessary to elect a new chairperson, or any of the other offices, a majority vote of 65% would be required.
- 4.7 Should the registered members of GARDENS WATCH deem it necessary to elect a new Committee, a majority vote of 65 % would be required.
- 4.8 GARDENS WATCH may appoint one or more qualified auditors and may determine their remuneration (if any).

5. EXECUTIVE COMMITTEE

- 5.1 Nomination for new offices or new members of the Committee must be made by full members of the Association and must be in the hands of the Committee at least ten days before the Annual General Meeting. Should nominations exceed vacancies, elections shall be decided by a simple majority of those present and entitled to vote.
- 5.2 No member shall exercise more than one vote but in case of an equality of votes the Chairperson shall have a second or casting vote.
- 5.3 The general management of the affairs of GARDENS WATCH shall be directed by an Executive Committee (the Committee) which shall meet not less than four times a year.
- 5.4 Each member of the Committee shall be entitled to one vote at meetings of the Committee.
- 5.5 Each Committee member may vote by proxy duly authorized in writing on not more than three occasions in any one year commencing with the inaugural meeting.
- 5.6 The Police Crime Prevention Officer shall be entitled to voting representation on the Committee.

- 5.7 Any casual vacancy in the Committee may be filled up by the Committee and any person appointed to fill such a casual vacancy shall hold office until the conclusion of the next Annual General Meeting of GARDENS WATCH and shall be eligible for election at the meeting.
- 5.8 The proceedings of the Committee shall not be invalidated by any accidental failure to elect or any accidental defect in the election, appointment, co-option or qualification of any member.
- 5.9 The Committee may appoint such special or standing committees as may be deemed necessary by the Committee and shall determine their terms of reference, powers, duration and composition. All acts and proceedings of such special or standing committees shall be reported back to the Committee fully and promptly.
- 5.10 The Station Commissioner of Cape Town Central Police Station shall be entitled to ex officio non-voting representation on the Committee.
- 5.10.1 The Committee may at any Committee meeting vote to allow any other Senior Police Officer or any Senior official or politician concerned in Public Safety or Neighborhood Watch Association to have ex-officio non-voting representation on the Committee at the meeting where such vote is taken;
- 5.10.2 The Committee may at any Committee meeting invite one representative from each of the Companies providing Security Services in Gardens to attend such Committee meeting Provided that all such Companies are given an equal opportunity to attend and an equal right to address the Committee in the absolute discretion of the Chairperson;

6. RULES OF PROCEDURES AT ALL MEETINGS

6.1 Quorum

- 6.1.1 The quorum at an Annual General Meeting of GARDENS WATCH shall be one quarter of the membership of GARDENS WATCH.
- 6.1.2 The quorum at a meeting of the Committee or of any committee appointed under Clause 4.1 shall be such number as GARDENS WATCH may in General Meeting from time to time determine, subject to a minimum of four.
- 6.2 All questions arising at any meeting shall be decided by a simple majority of those present and entitled to vote. No person shall exercise more than one vote but in the case of any equality of votes the chairperson of the meeting shall have a second or casting vote;
- 6.3 Minute books shall be kept by the Committee and all other committees, and the appropriate secretary shall enter therein a record of all attendances, proceedings and resolutions.

7. STANDING ORDERS

- 7.1 The Committee may make such rules for the conduct of its business and that of GARDENS WATCH as it may deem necessary PROVIDED THAT they shall be consistent with the requirements of this constitution.
- 7.2 If any representative of the media attends any meeting of the Committee the Chairperson may in the Chairperson's absolute and unfettered discretion exclude the media or obtain written undertakings that no names or identifying information of members will be published.

7.3 The Committee shall have the power to make, repeal and amend such rules as they may from time to time consider necessary for the wellbeing of GARDENS WATCH PROVIDED THAT they shall be consistent with the requirements of this constitution, which rules, repeals and amendments shall have effect until set aside by the Committee or at a general meeting.

8. MEETINGS OF GARDENS WATCH

8.1 There shall be an annual general meeting of GARDENS WATCH which shall be held in once a year at such time and at such place as the Committee shall determine. At least fourteen clear days' notice shall be given in the GARDENS WATCH website and/or in the local media where applicable.

8.2 At such Annual General Meeting the business shall include the election of Committee.

8.3 The Chairperson of the Committee may at any time call a Special General Meeting of GARDENS WATCH at his or her discretion and shall call such a meeting within twenty eight days of receiving a written request to do so, signed by not less than four members of the Committee and giving reasons for the request.

9. FINANCE

9.1 All monies raised by or on behalf of GARDENS WATCH shall be applied to further the purposes of GARDENS WATCH and not otherwise provided that nothing herein contained shall prevent the payment in good faith of reasonable and proper reimbursement of reasonable out-of-pocket expenses.

9.2 Nothing within this Constitution shall prevent any member of the community from raising funds in their own capacity as they would have done prior to the adoption of this constitution. However the GARDENS WATCH name may not be associated with any such collections.

10. ALTERATIONS TO THE CONSTITUTION

10.1 Any alteration to this Constitution shall receive the assent of not less than 65% of the membership of GARDENS WATCH for the time being present and voting at an Annual General Meeting or a Special General Meeting.

10.2 Notice of any such alteration shall have been received by the Committee in writing not less than 21 clear days before the meeting at which the alteration is to be proposed. At least 14 clear days' notice in writing of such a meeting, setting out the terms of the alteration, shall be published on the GARDENS WATCH website and/or in the local press.

10.3 No alteration shall be made to Clause 2.1 or this Clause until the approval in writing of the Community Police Forum or other authority having jurisdiction shall have been obtained and no alteration shall be made which would have the effect of causing GARDENS WATCH to cease to apply the principles of WCNWS.

11. DISSOLUTION

11.1 If the Committee by a simple majority decides at any time that on the ground of expenses or otherwise it is necessary or advisable to dissolve GARDENS WATCH it shall call a meeting of all members of GARDENS WATCH who have the power to vote, of which meeting not less than 14 days' notice (stating the terms of the Resolution to be proposed thereat) shall be given. Notice shall be by publication on GARDENS WATCH web site and/or in the local press.

11.2 If such decisions shall be confirmed by a 65% majority of those present and voting at such meeting, the Committee shall have the power to dispose of any assets held by or on behalf of GARDENS WATCH. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other charitable institution or institutions having objects similar to the objects of GARDENS WATCH as the Committee may decide or failing that may be applied for some other charitable purpose. A copy of the statement of accounts for the final accounting period of GARDENS WATCH must be sent to the Community Police Forum.

ANEXURE 1

This map depicts the operational area of the Gardens Watch.

The area includes the boundaries of Roeland Street (North), Upper Mills Street/Jutland Avenue (South), Buitenkant Street (West) and Brandweer Street (East).

