



## PLUMSTEAD NEIGHBOURHOOD WATCH

### CONSTITUTION

#### 1. Definitions

**"Executive Committee"** means the elected office-bearers of the Plumstead Neighbourhood Watch, viz the Chairperson, Vice-Chairperson, Secretary, Treasurer and Operations Manager.

**"Management Committee"** means the elected Executive Committee plus co-opted office-bearers viz Assistant Operations Manager, Public Relation/Fund Raising Co-ordinator, Membership Co-coordinator, Website Administrator and Section Leader representative.

**"Community Police Forum"** means the Community Police Forum established in terms of the SA Police Service Act for the Diep River Police Station area.

**"Dangerous weapon"** means any object other than a firearm which is likely to **cause** serious bodily injury if it were used to commit an assault as defined by the Dangerous Weapons Act No 71 of 1968.

**"Plumstead"** means the area bounded by:

***Constantia Road, Park Road, Exeter Road, South Road, Ottery Road, Prince George Drive, Tramore Road, Hoole Close, Avondale Terrace, De Waal Road, Kendal Road, Boundary Road, Burnham Road, St Joan's Road, along the Diep River to Constantia Road.***

**"Police"** means the South African Police Service, the Metro Police of the City of Cape Town, the Law Enforcement officials of the City of Cape Town and any other public agency, the purpose of which is to abate or alleviate crime within Plumstead.

#### 2. Establishment

The Plumstead Neighbourhood Watch is hereby established in terms of this Constitution.

#### 3. Objectives

The objectives of the Plumstead Neighbourhood Watch are to:

- (a) foster a spirit of public awareness within Plumstead regarding safety, crime prevention and the protection of families and their property.
- (b) encourage the community to work closely with the Diep River Police and any other Police as defined.
- (c) ensure that the Plumstead Neighbourhood Watch acts within the framework of the law.
- (d) assist the Police in any lawful manner in regard to the abatement, alleviation or prevention of crime in Plumstead.

#### **4. Accountability**

The Plumstead Neighbourhood Watch is accountable to the South African Police Service and the Diep River Community Police Forum.

#### **5. Membership**

- (a) Membership of the Plumstead Neighbourhood Watch is open to all above the age of eighteen (18) who reside in the area of operation or have direct business or interest in the area defined in paragraph 1 'Definitions - Plumstead' above, irrespective of political or any other affiliation.
- (b) The details of all members of the Plumstead Neighbourhood Watch shall be kept in a register and updated annually. The register must contain the name, address, identity number and telephone details of each member together with the Indemnity form signed by that member.
- (c) The Plumstead Neighbourhood Watch may determine a membership fee. In the event where such a fee is applicable, payment will not be enforced in any way, neither shall membership be depend on such a fee. The payment of such a fee shall remain voluntary at all times.

#### **6. Nature and Liability of the Plumstead Neighbourhood Watch**

- (a) The Plumstead Neighbourhood Watch is a voluntary, non-profit association, does not have any juristic personality and as such does not incur any liability for the acts or omissions of any of its members.
- (b) An acknowledgement to this effect "Indemnity Form" will be signed by each member of the Plumstead Neighbourhood Watch upon application to join, clearly indemnifying the neighbourhood watch.
- (c) It is clearly understood that members of the Neighbourhood Watch shall not under any circumstances offer violence to any person or commit any act or omit to do any act which may result in the death or injury of any person, nor shall a member of the Neighbourhood Watch while on duty carry any firearm or dangerous weapon provided that with the knowledge of the South African Police Service at Diep River Police Station a neighbourhood watch member may carry such means of self defence as the Police may approve. If, despite the foregoing, a member carries a firearm in the course

of any duty or function of the Neighbourhood Watch, he or she shall be liable for all consequences ensuing from the carrying of such firearm and its use.

## **7. Structure and Meetings**

- (a) The Management Committee will consist of the Executive Members viz the Chairperson, Vice-Chairperson, Secretary, Treasurer and Operations Manager as elected at the annual general meeting plus co-opted committee members.
- (b) The Executive will have the authority to co-opt onto the management committee an Assistant Operations Manager, Public Relations/Fund Raising Co-ordinator, Membership Co-ordinator, Website Administrator, Section Leader representative and any other positions deemed necessary for the effective functioning of the neighbourhood watch.
- (c) The Management Committee as defined will meet at least every second month and an Annual General Meeting will be held during the second quarter of each year.
- (d) Members must be advised at least fourteen days (14) prior to the date of an annual or special general meeting
- (e) Election of Executive Committee members will be conducted via a ballot if there is more than one nomination for a position. Executive Committee members must be duly proposed and seconded and if there is only one nomination for a position the nominee will be deemed elected, if there are no objections to that candidate being selected.
- (f) Any proposed changes to the constitution must be submitted in writing to the Executive Committee at least 4 weeks prior to the Annual General Meeting. The constitution may be amended at an Annual General Meeting or special general meeting called for this purpose.
- (g) The registered members present shall constitute a quorum at an annual general meeting.
- (h) At least four (4) members of the Executive Committee shall constitute a quorum at an Executive Committee meeting. All resolutions will be passed by means of a fifty percent plus one (50% + 1) vote.
- (i) The Executive Committee will mandate a member to address, and or make public statements/announcements, in matters pertaining to the neighbourhood watch.

## **8. Logos and Letterheads**

The Plumstead Neighbourhood Watch may design and use its own logo and a letterhead complementing its aims and objectives: Provided that such design shall not be offensive, insulting, nor bring the Community Police Forum or the South

African Police Service into disrepute or be similar to the logo and letterhead of the South African Police Service.

## **9. Finances**

- (a) The Plumstead Neighbourhood Watch will remain a non-profit making organisation and will manage its financial affairs in accordance with generally accepted accounting standards. All funds will be deposited into a bank account at a registered financial institution.
- (b) The Plumstead Neighbourhood Watch will open a set of books which shall be subject to annual audit or certified reconciliation, as the Committee may decide, and in which shall be recorded all transactions of income and expenditure. The financial year will be for the period 01 April to 31 March.
- (c) The Neighbourhood Watch may receive funds from the Diep River Community Police Forum for financing equipment and/or administrative costs. The Neighbourhood Watch may undertake fund raising from time to time to finance its activities.
- (d) Any equipment purchased in terms of paragraph (c) above shall be and remain the property of the Diep River Police Forum and members shall be accountable for the safe-keeping of any such equipment which may be placed in their care for their use.
- (e) The Plumstead Neighbourhood Watch shall annually submit a set of audited or certified financial statements to the Diep River Community Police Forum.

## **10. Misconduct**

- (a) Any member who brings the Plumstead Neighbourhood Watch into disrepute or who commits any crime or causes any damage to another in the course of his or her duties shall be charged with misconduct and in the case of a criminal act the South African Police Service shall, notwithstanding any action taken by the Neighbourhood Watch, investigate and deal with the matter in accordance with the law relating to that criminal act.
- (b) A charge of misconduct shall be specified by the Chairperson of the Plumstead Neighbourhood Watch and delivered in writing to the member concerned.
- (c) The Chairperson of the Plumstead Neighbourhood Watch shall thereupon convene a panel of members to hear the matter and at such hearing the member concerned may produce evidence in his or her favour and the Chairperson of the Neighbourhood Watch may produce evidence against such member.
- (d) Thereafter the panel shall make a decision either to take no further action or

to reprimand the member concerned or to dismiss the member concerned as a member of the Plumstead Neighbourhood Watch.

**11. Dissolution**

- (a) The Neighbourhood Watch may be dissolved by majority vote of a duly constituted meeting of members under the Chairmanship of the Diep River Community Police Forum or if this is not possible and independent person selected for that reason.
- (b) The Diep River Community Police Forum may decide to dissolve the Plumstead Neighbourhood Watch should it no longer be functioning effectively.
- (c) In the event of the dissolution of the Plumstead Neighbourhood Watch, any funds in its possession standing to its credit in any banking account or any equipment provided out of funds given by the Diep River Community Police Forum, shall be handed to and be placed in the custody of the Diep River Community Police Forum.

**Signed on ..... day of ..... 2011**

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**CHAIRPERSON**

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**SECRETARY**