



PINELANDS NEIGHBOURHOOD WATCH

PINELANDS NEIGHBOURHOOD WATCH CONSTITUTION APRIL 2018

1 NAME

The name of the Neighbourhood Watch shall be the PINELANDS NEIGHBOURHOOD WATCH (PNW).

2 NATURE OF THE ORGANISATION AND ITS MEMBERS

2.1 The PNW is a non-profit organisation.

2.2 The PNW is an association of voluntary members.

3 GEOGRAPHIC AREA OF OPERATION

The PNW shall operate within part of the precinct of the Pinelands South African Police Service, in particular in the suburb of Pinelands, as more specifically depicted by the map in Annexure A hereto.

4 AIMS

The main aim of the PNW is for Pinelands to become a safe and secure environment in which to live, work and play, with members of the PNW serving as the 'Eyes & Ears' of the Pinelands community and the local police service, and thereby assisting the local police service to safeguard the community against criminal activities.

5 OBJECTIVES

The PNW will achieve its main aims by:

5.1 Nurturing a sense of unity, dedication and good neighbourly relations among the residents of the area;

5.2 Providing a channel for the local community to play a meaningful role in crime prevention;

5.3 Creating public awareness with regard to safety, crime prevention and the protection of families and their property;

5.4 Encouraging the community to work in close co-operation with the South African Police Service and other structures, such as local authorities who are involved in law enforcement;

5.5 Ensuring that the members of the PNW act within the framework of the law;

5.6 Seeking to unite a diverse residency that is dedicated to creating a stable and crime-free environment;

5.7 Complying at all times with the principles contained in the Western Cape Provincial Constitution (WCPC) and the Western Cape Provincial Code of Conduct for Neighbourhood Watch Structures (WCPCCoC) as well as the provisions the Department of Community Safety: Community Safety Regulations, 2016 (CSR); and ensuring that there is no conflict of principles between the WCPC, the CSR and this Constitution. In the event that there is a conflict of principles between this Constitution and the WCPC or the CSR, then the provisions of the WCPC or the CSR shall prevail.

6 POWERS OF THE PNW

6.1 To lobby National, Provincial and City Governments on all issues of Public Safety that affect the community;

6.2 To seek and obtain funding and resources (including SAPS reinforcement) through the Community Police Forum from any available governmental or departmental sources;

6.3 To arrange and provide for or join in arranging and providing for the holding of exhibitions, meetings, lectures, classes, seminars and training courses;

6.4 To promote and carry out or assist in promoting and carrying out research, surveys and investigations and publishing the results thereof, ensuring due compliance with any law and/or regulations governing the privacy of such information;

IN PARTNERSHIP WITH THE SOUTH AFRICAN POLICE SERVICE & COMMUNITY POLICING FORUM

CHAIRMAN email: CHAIRMAN@PINELANDSNW.CO.ZA
SECRETARY email: SECRETARY@PINELANDSNW.CO.ZA
Website: WWW.PINELANDSNW.CO.ZA



PINELANDS NEIGHBOURHOOD WATCH

- 6.5 To collect and disseminate information on all matters affecting the above purposes and to exchange such information with other bodies that have similar purposes, whether in this country or abroad, while ensuring due compliance with any law and/or regulations governing the privacy of such information;
- 6.6 To procure to be written, printed, published, issued and circulated gratuitously or otherwise such papers, books, periodicals, pamphlets, other documents, films or recorded tapes/discs as shall further the above purposes, while ensuring due compliance with any law and/or regulations governing the privacy of such information;
- 6.7 To accept gifts in such a manner as the PNW shall think fit, subject to such consents as required by law;
- 6.8 To procure contributions to the PNW by personal or written appeals, public meetings or otherwise, subject to such consents as required by law;
- 6.9 To appoint and constitute such advisory committees as the Executive Committee may think fit;
- 6.10 To partner or form, with like-thinking individuals or organisations, initiatives, partnerships or legal entities that will further the Aims and Objectives of the PNW and, where appropriate or required, to appoint any member of the PNW to serve as a member, office bearer or director of such body;
- 6.11 To do all such other lawful things as are necessary for the attainment of the said aims and objectives.

7 INDEMNITY

- 7.1 The PNW is not a legal person and shall function within the guidelines as provided and set out in this Constitution and the WCPC.
- 7.2 An acknowledgement to this effect shall be signed by all members, clearly indemnifying the PNW and the neighbourhood watch structures of the WCPC.
- 7.3 The acknowledgement referred to above must clearly state that the PNW is a voluntary association.

8 LIABILITY

- 8.1 The PNW is not a legal person and as such does not have powers of whatsoever the nature might be in law to act or to be acted upon.
- 8.2 All individual members of the PNW act in their own capacity, as individuals, and liability shall be in that capacity.
- 8.3 The PNW shall not be responsible for civil and/or criminal actions or omissions that are perpetrated by a member, nor be responsible for civil and/or criminal actions or omissions against its members.
- 8.4 All and any criminal and civil actions that are instituted against a member of the PNW shall be against the member concerned and not the PNW,
- 8.5 The above clauses shall also apply equally to elected and appointed officers of the PNW.

9 ACCOUNTABILITY

- 9.1 The PNW shall be accountable to the South African Police Service in the first instance.
- 9.2 By virtue of its registration with a local Community Police Forum, the PNW shall be accountable to that local Community Police Forum.
 - 9.2.1 In the absence of such a Community Police Forum, the neighbourhood watch structure shall be accountable to the Area Community Police Board.
 - 9.2.2 Should the local Community Police Forum and the Area Community Police Board be simultaneously absent or found to be dysfunctional, the PNW shall be accountable to the Provincial Community Police Board.



PINELANDS NEIGHBOURHOOD WATCH

10 AFFILIATION

- 10.1** It is a requirement of the WCPC that a neighbourhood watch structure be affiliated to the local Community Police Forum in order to be recognised by the local South African Police Service in the area, and thus the PNW shall be affiliated to the local Community Police Forum.
- 10.2** For the purpose of the PNW meeting its objectives, the PNW may affiliate to, or un-affiliate from, any other body that the Executive Committee may deem fit.

11 MEMBERSHIP

- 11.1** Eligibility for membership:
- 11.1.1** Membership of the PNW shall be based upon the principles of democracy, non-racism, non-sexism and non-sectarianism.
- 11.1.2** Membership shall be open to all persons, irrespective of race, colour, religion, disability, age or sexual orientation, subject only to the criteria that the person:
- 11.1.2.1** reside in Pinelands and/or
- 11.1.2.2** work in Pinelands, and/or
- 11.1.2.3** own property in Pinelands, and
- 11.1.2.4** have no previous conviction in respect of any sexual offence or crime involving violence or dishonesty, committed during the period of five years that precedes their application for membership.
- 11.1.3** Any person wishing to join the PNW shall, by such application, commit themselves to:
- 11.1.3.1** participate in the achievement of the aims and objectives of the organisation; and
- 11.1.3.2** abide by any rules, Code of Conduct and other policies introduced from time to time.
- 11.1.4** Any person wishing to join the PNW shall be obliged to sign any indemnity or other form required of members in terms of this Constitution, and a failure or refusal to do so shall be sufficient cause to deny membership.
- 11.1.5** In order to satisfy themselves that an applicant is eligible for membership, any elected or appointed officers of the organisation are entitled to:
- 11.1.5.1** request reasonable information from an applicant;
- 11.1.5.2** conduct an interview with an applicant;
- 11.1.5.3** request a personal resume from an applicant, such to be limited to the information required to determine eligibility for membership.
- 11.1.6** The PNW shall not reject an application without sufficient reason, which shall be provided to the applicant on the applicant's request.
- 11.1.7** A refusal or failure of an applicant to provide eligibility information is sufficient cause to deny the application.
- 11.1.8** Membership shall not be open to a person whose membership has previously been terminated for reasons set out in Clauses 11.6.1.3, 11.6.1.4 or 11.6.1.5.
- 11.2** Annual Membership Fees:
- 11.2.1** The annual membership fees of the organisation shall be approved by the members at the AGM of the organisation.
- 11.2.2** Payment of the annual membership fee by a member is entirely voluntary and shall not be enforced in any way.



PINELANDS NEIGHBOURHOOD WATCH

- 11.2.3** Membership of the PNW shall not be dependent on payment of the annual membership fee.
- 11.2.4** Nothing in clause 11.2.2 shall preclude the PNW recovering from members, who are using organisational equipment and systems, a prorated share of legislated fees (such as ICASA radio licence fees) or similar, provided that such members are identifiable and the cost recovery spread fairly across identified members.
- 11.3** Rights and obligation of members:
- 11.3.1** Members have the right to:
- 11.3.1.1** exercise any right specifically set out in this Constitution;
 - 11.3.1.2** personally attend, participate in and vote at General Meetings of the PNW;
 - 11.3.1.3** avail themselves for election or appointment as an office bearer of the PNW in accordance with the manner set out in this Constitution;
 - 11.3.1.4** view the organisation’s website and any information contained in the “Member” section thereof; and
 - 11.3.1.5** participate in the lawful activities of the PNW.
- 11.3.2** Members have the general obligation to:
- 11.3.2.1** support the aims and objectives of the PNW in a positive and constructive manner;
 - 11.3.2.2** behave in a manner that ensures the reputational integrity of the PNW, in particular to adhere to the PNW Code of Conduct as issued and amended from time to time;
 - 11.3.2.3** be bound by the policies and working methods of the organisation;
 - 11.3.2.4** submit to a security and criminal clearance process when required, co-ordinated by officers of the PNW and conducted by the Pinelands South African Police Service;
 - 11.3.2.5** keep confidential to themselves and other members of the PNW all information they may receive as a consequence of their membership of the PNW, their access to PNW meetings, the minutes of meetings, the PNW website, the PNW radio network, the PNW social media groups, or any material distributed by the PNW.
- 11.4** Transferability of membership:
Membership is granted to members because of their own particular eligibility factors and is thus not transferable to any other person by proxy or otherwise.
- 11.5** Suspension of membership:
A member may be suspended from active membership by the Executive Committee, pending full investigation, in the event that there is:
- 11.5.1** prima facie evidence of a committal by the member of any offence listed in Schedule 1 or Schedule 2 of the Criminal Procedure Act; and/or
 - 11.5.2** prima facie evidence of a committal by the member of a gross breach of the PNW Code of Conduct;
 - 11.5.3** any other alleged action or conduct by the member, deemed by the Executive Committee to be a gross violation of the member’s general obligation toward the organisation, that, if subsequently found to be true, would in all likelihood result in termination of the member’s membership.
- 11.6** Termination of membership:
- 11.6.1** The membership of a member can be terminated:



PINELANDS NEIGHBOURHOOD WATCH

- 11.6.1.1 By written resignation addressed to the Secretary of the PNW;
- 11.6.1.2 Automatically, in the event that the member no longer qualifies for membership in terms of Clause 11.1.2;
- 11.6.1.3 Automatically, if the member is found guilty by a Court of Law of any offence listed in Schedule 1 or Schedule 2 of the Criminal Procedure Act;
- 11.6.1.4 Automatically, if a member, after two written requests, fails or refuses to sign any indemnity or other form required of a member in terms of this Constitution;
- 11.6.1.5 By order of the Executive Committee in the event that the member receives a sanction of termination of membership from a properly constituted and conducted Disciplinary Committee or from any other disciplinary hearing process of the PNW.

11.7 Register of Members:

- 11.7.1 The PNW shall maintain a membership register, which must at least contain the name, address, identity number, e-mail and telephone details of each member.
- 11.7.2 The PNW shall maintain a file containing the indemnity forms signed by the members.
- 11.7.3 The membership register and the indemnity forms shall be updated at least once annually,
- 11.7.4 The PNW database of Members shall only be accessed by the elected officers of the organisation, as well as those appointed officers of the organisation who would require the information to further the aims and objectives of the organisation, or any law enforcement officer producing the requisite search warrant.

12 ELECTED OFFICERS

12.1 The elected officers of the PNW shall be:

- 12.1.1 Chairperson
- 12.1.2 Vice Chairperson
- 12.1.3 Treasurer
- 12.1.4 Secretary
- 12.1.5 One Sector Leader for each of the Sectors within the geographic areas of PNW, such sectors being identified as such by the Executive Committee from time to time.
- 12.1.6 One other member.

12.2 Elected officers shall be elected at the Annual General Meeting (AGM) of the PNW and, unless removed in terms of this Constitution, shall serve until the next AGM, or until their successor is elected, whichever is the later.

12.3 Elected officers are eligible for re-election at each AGM, provided they qualify in all other respects laid out herein.

12.4 Members of the PNW who are under suspension pending possible termination of membership, or who have been found guilty of a serious violation of the PNW Code of Conduct, are not eligible for the position of an elected officer.

13 APPOINTED OFFICERS

13.1 The Executive Committee shall at its sole discretion appoint the following officers who will serve at the will of the Executive Committee:

- 13.1.1 A Public Relations Officer,
- 13.1.2 A Marketing Officer,
- 13.1.3 An Event and Fund Raising Officer,



PINELANDS NEIGHBOURHOOD WATCH

- 13.1.4 A Patrol Coordinator,
- 13.1.5 A General Committee Member without specific portfolio,
- 13.1.6 An asset custodian.

13.2 The above positions may be combined or expanded, should the Executive Committee deem fit.

14 STRUCTURE AND PROCEEDINGS OF COMMITTEES

14.1 Executive Committee

- 14.1.1 Membership of the Executive Committee shall consist of:
 - 14.1.1.1 all the Elected Officers of the PNW and
 - 14.1.1.2 those Appointed Officers that the Executive Committee considers appropriate to properly manage the organisation.
- 14.1.2 Other than powers that are more generally vested in members in terms of this Constitution, the Executive Officers are, by their election, mandated to carry out all duties and responsibilities necessary for the effective running of the organisation.
- 14.1.3 The Executive Committee shall meet not less than 11 times a year.
- 14.1.4 The number of members on the Executive Committee shall not exceed 10.
- 14.1.5 The quorum at a meeting of the Executive Committee shall be 50% +1 of the members of the committee, provided that at any meetings the Elected Officers must be in the majority.
- 14.1.6 The Chairperson of the Executive Committee shall be the Chairperson of the PNW for the duration of his or her term of office.
- 14.1.7 Each member of the Executive Committee shall be entitled to one vote at meetings of the Committee.
- 14.1.8 No voting by proxy shall be permitted.
- 14.1.9 The Executive Committee shall endeavour to decide every issue considered by it by means of consensus, failing which by vote.
- 14.1.10 All voting shall be by show of hands.
- 14.1.11 The simple majority of those present and voting shall carry.
- 14.1.12 In the event of a tie in the voting, the Chairman shall have a casting vote in addition to a deliberative one.
- 14.1.13 The Minutes and Resolutions arising out of Meetings shall be prima facie confirmation of the matters stated therein and must be signed by the Chairperson and the Secretary or the Treasurer.
- 14.1.14 A round robin resolution signed by all the members of the Executive Committee and inserted in the Minutes file shall be regarded as valid and effective as if passed at a meeting of the Executive Committee. Any such Resolution may consist of several documents in the same or similar form, each of which is signed by one or more of the members of the Executive Committee and shall be deemed to have been passed on the date it was signed by the last member of the Executive Committee (unless stated to the contrary in the document(s)).
- 14.1.15 Any casual vacancy in the Executive Committee may be filled up by the Committee, and any person appointed to fill such a casual vacancy shall hold such office for the term that was applicable to the vacancy being filled.
- 14.1.16 The proceedings of the Executive 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.
- 14.1.17 In addition to the Ad Hoc Committees specified in this Constitution, the Executive Committee may appoint



PINELANDS NEIGHBOURHOOD WATCH

such special or Standing Committees as may be deemed necessary, and shall determine their scope and terms of reference, powers, duration and composition. All acts and proceedings of such special or Standing Committees shall be reported back to the Committee for ratification.

- 14.1.18** The Commandant of the Pinelands Police Service shall be entitled to ex-officio non-voting representation at a meeting of the Executive Committee.
- 14.1.19** The Executive Committee may at any Executive Committee meeting vote to allow any other Senior Police Officer or any senior official or politician concerned in Public Safety or Neighbourhood Watch Association to have ex-officio non-voting representation at a meeting of Executive Committee.
- 14.1.20** The Executive Committee is not precluded from inviting to any of its meetings any representatives of the various tiers of government, specific government departments, legal services, communities or organisations from such communities, or partners or companies on the basis that they share objectives or interests similar or common to those of PNW organisations, provided that such invite may only be extended on the decision of a majority of the Executive Committee members. In the event that any invitee has a commercial interest in a relationship or a potential relationship with the PNW, then the Executive Committee shall ensure that, should procurement be envisaged, competitive fairness and integrity of the procurement process shall ensue.
- 14.1.21** The membership of an Executive Committee member who is an elected officer of the PNW can be terminated, either:
- 14.1.21.1** By resignation from office by notice given in writing to the Secretary (or to the Chairman if the member resigning is the Secretary); or
 - 14.1.21.2** Automatically, if the member is absent from three (3) consecutive meetings of the Executive Committee without just or reasonable cause given in writing and acceptable to the Executive Committee; or
 - 14.1.21.3** Automatically, if the Elected Officer's membership of the PNW is terminated in terms of Clause 11.6; or
 - 14.1.21.4** Automatically if the Elected Officer is removed from office by means of a motion passed at a duly constituted general meeting of members.
- 14.1.22** The membership of an Executive member who is an appointed officer of the PNW can be terminated, either
- 14.1.22.1** Upon resignation from office by notice given in writing to the Secretary; or
 - 14.1.22.2** Automatically, if the member is absent from three (3) consecutive meetings of the Executive Committee, to which he or she has been invited, without just or reasonable cause given in writing and acceptable to the Executive Committee; or
 - 14.1.22.3** Automatically, if the Appointed Officer's membership of the PNW is terminated in terms of Clause 11.6; or
 - 14.1.22.4** For good cause, by the majority vote of the members of the Executive Committee.
- 14.2** Standing and Ad Hoc Committees:
- 14.2.1** The Executive Committee may appoint and/or dissolve such special or Standing Committees as may be deemed necessary by the Executive Committee from time to time.
- 14.2.2** The Executive Committee shall determine or amend the terms of reference, powers, duration and composition



PINELANDS NEIGHBOURHOOD WATCH

of all Standing and Ad Hoc Committees.

- 14.2.3 All acts and proceedings of such special or Standing Committees shall be reported back to the Committee for ratification.
- 14.2.4 Sample committees are:
 - 14.2.4.1 Sector Leaders Committee
 - 14.2.4.2 Disciplinary Committee
 - 14.2.4.3 Projects Committee

15 ANNUAL GENERAL MEETING

- 15.1 There shall be an Annual General Meeting (AGM) of the PNW held by no later than the 2nd Thursday in May, held at such time and at such place as the Executive Committee shall determine.
- 15.2 Notice of at least fourteen (14) clear calendar days shall be given to members, and publication of such notice on the PNW website, social media platforms, in local newspapers and/or via email shall be deemed sufficient communication.
- 15.3 Quorum and proxies:
 - 15.3.1 The quorum at an AGM of the PNW shall be fifty (50) members or one quarter (25%) of the membership of the PNW, whichever is the lesser.
 - 15.3.2 Members are entitled to attend and exercise their right to speak and vote in person only.
 - 15.3.3 No proxies are allowed for any part of the meeting.
 - 15.3.4 In the event that a quorum is not present, the meeting, with the same agenda, shall be adjourned to a date not more than 10 days later, and the members attending at such reconvened meeting shall be the quorum, even if conditions as laid out in Clause 15.3.1 are not met.
- 15.4 Business at the AGM shall include:
 - 15.4.1 The election of the Elected Officers (per Clause 12);
 - 15.4.2 The consideration of a report by the Chairman;
 - 15.4.3 The consideration and adoption of Annual Audited Accounts;
 - 15.4.4 Appointment of accountants/auditors for the forthcoming year;
 - 15.4.5 Proposals submitted by the Executive Committee or members for consideration;
 - 15.4.6 Any other relevant general business.
- 15.5 Nominations for election as an Elected Officers
 - 15.5.1 must be proposed and seconded by members of the PNW;
 - 15.5.2 must be in the hands of the Committee at least ten days before the AGM;
 - 15.5.3 notwithstanding Clause 15.5.2, further nominations may be made from the floor;
 - 15.5.4 Nominated members must be given the opportunity to address the meeting before the election is put to the vote.
- 15.6 Voting for Elected Officers shall be decided
 - 15.6.1 on an officer by officer basis;
 - 15.6.2 by show of hands, with candidates absent from the room at the time of the vote;
 - 15.6.3 only in the event that nominations exceed vacancies, failing which those nominated are deemed to be elected, unless objections are made. Should any members object to the election of any member in this manner, then a vote shall be taken, and under such circumstances the nominated member must receive at least 50% +1



PINELANDS NEIGHBOURHOOD WATCH

approval of the members present and voting;

15.6.4 by a simple majority of those present and voting;

15.6.5 In the event of there being more than one nominee for an officer position, then voting shall continue on a round by round basis, with the nominee garnering the fewest votes dropping out for subsequent rounds, until one nominee shall gain at least 50% +1 of the votes cast.

15.7 All questions requiring a decision shall be decided by a simple majority of those present and voting. No person shall exercise more than one vote, but in the case of any equality of votes, the chairperson of the meeting may have a second or casting vote, which he or she may or may not exercise.

15.8 Minutes of the AGM shall be recorded and published in the member section of the PNW website and sent to any member formally requesting such.

16 SPECIAL GENERAL MEETINGS

16.1 The Secretary of the PNW shall call a Special General Meeting of the PNW within 28 days of

16.1.1 the instruction of the Executive committee, such instruction to contain the reason for such meeting;

16.1.2 a written request, containing the reason for such meeting, by twenty-five (25) members in good standing acting in concert.

16.1.3 Notice of at least fourteen (14) clear days shall be given to members. Publication of such notice on the PNW website, social media platforms, in local newspapers and/or via email shall be deemed sufficient communication.

16.2 Quorum and proxies:

16.2.1 The quorum at a Special General Meeting of the PNW shall be fifty (50) members or one quarter (25%) of the membership of the PNW, whichever is the lesser.

16.2.2 Members are entitled to attend and exercise their right to speak and vote in person only.

16.2.3 No proxies are allowed for any part of the meeting.

16.2.4 In the event that a quorum is not present, the meeting, with the same agenda, shall be adjourned to a date not more than ten (10) days later and the members attending at such reconvened meeting shall be the quorum, even if conditions as laid out in Clause 16.2.1 are not met.

17 STANDING ORDERS/POLICIES AND CODES OF CONDUCT

17.1 The Executive Committee may make such rules for the conduct of its activities as it may deem necessary from time to time, provided that such shall be consistent with the requirements of this Constitution;

17.2 The Executive Committee may make such rules for the conduct of its members as it may deem necessary, provided that such shall be consistent with the requirements of this Constitution.

17.3 Members of the media may only attend a meeting of the PNW organisation when invited by the agreement of the Executive Committee.

17.4 The Executive Committee shall have the power to make, repeal and amend such rules as they may consider necessary from time to time, for the well-being of the PNW, provided that such rules are consistent with the requirements of this Constitution.

17.5 Any rules, repeals and amendments shall have effect until set aside by the Executive Committee or by the majority vote of members present and voting in a general meeting.

IN PARTNERSHIP WITH THE SOUTH AFRICAN POLICE SERVICE & COMMUNITY POLICING FORUM

CHAIRMAN email: CHAIRMAN@PINELANDSNW.CO.ZA
SECRETARY email: SECRETARY@PINELANDSNW.CO.ZA
Website: WWW.PINELANDSNW.CO.ZA



PINELANDS NEIGHBOURHOOD WATCH

- 17.6** Notwithstanding the generality of this main clause, in the event that the Executive Committee are of the opinion that the main Code of Conduct of the PNW requires repeal or amendment, it shall:
- 17.6.1** Distribute to members, to their last e-mail address of record with the organisation (together with a link to a copy of the document on any PNW website the organisation may have) a copy of the proposed new Code of Conduct document;
 - 17.6.2** Simultaneously issue an invite to members to respond in writing within 21 calendar days with any comments they may have;
 - 17.6.3** Review all comments received and, if deemed appropriate by a simple majority of the Executive Committee, amend the Code of Conduct;
 - 17.6.4** Cause the Code of Conduct (amended or otherwise) to be signed by the Chairman and Secretary of the PNW and distribute such signed document to the membership with an implementation date chosen by the Executive Committee;
 - 17.6.5** Such Code of Conduct shall stand until further amended or set aside, in terms of this Constitution or by the Executive Committee by majority vote of members present and voting in a general meeting.

18 FINANCE

- 18.1** All monies raised by or on behalf of the PNW shall be applied to further the aims, objectives and purposes of the PNW and not otherwise, including payment in good faith of preapproved reasonable and proper repayment of reasonable out-of-pocket expenses.
- 18.2** The neighbourhood watch structure shall keep a proper accounting record that accurately reflects all its income and expenditure, assets and liabilities.
- 18.3** The neighbourhood watch structure shall have its financial accounts audited annually.
- 18.4** The PNW is permitted to hold fund-raising campaigns, provided that:
- 18.4.1** Funds raised are for the purposes of furthering its stated aims and objectives;
 - 18.4.2** Funds acquired from other sources shall be controlled and administered by the PNW;
 - 18.4.3** Prior to implementing such a campaign, the local Community Police Forum and/the South African Police Service shall be consulted.
- 18.5** Nothing within this Constitution shall prevent committee members or any other member of the PNW from collecting or raising funds for the benefit of individuals, provided that:
- 18.5.1** The PNW is not to be used as the name behind any such collection;
 - 18.5.2** Any funds so raised and any expenditure, surplus or goods acquired shall be the sole responsibility of individuals;
 - 18.5.3** The PNW shall and will remain a non-profit-making organisation.
- 18.6** All government funding must be controlled by the local Community Police Forum and the South African Police Service and where applicable accounted for through the PNW accounting systems.
- 18.7** All funds collected shall be deposited in a registered bank account with a banking institution registered and recognized by the South African Merchant Bank Act No 90 of 1994:
- 18.7.1** Said bank account must be registered in the name of the PNW; and
 - 18.7.2** a signatory mandate must be given to the banks of a minimum of two signatories to transact, or if an electronic



PINELANDS NEIGHBOURHOOD WATCH

banking transaction, one user to load payments and a second user to authorise such payments.

- 18.8** The PNW shall ensure that one or more members of the structure shall be appointed as custodian/s of the various PNW equipment whose prime function shall be, upon handing over of equipment in the event of dissolution/ change of office/ change of portfolios, to provide a fully completed inventory signed by the custodian and, where necessary, be filed by the Chairperson of the PNW or the Secretary of the PNW.

19 DISPUTE RESOLUTION

- 19.1** Any dispute relating to the PNW, which cannot be resolved by the Executive Committee, or by the members in a general meeting, may be:
- 19.1.1** referred to the Officer Commanding Pinelands SAPS; or
 - 19.1.2** the local Community Police Forum; or
 - 19.1.3** if the local Community Police Forum cannot resolve the dispute, the dispute shall be referred to the Area Community Police Board; or
 - 19.1.4** failure to resolve such dispute will lead to the dispute being taken to the Provincial Community Police Forum who must attempt to resolve it, failing which any decision of the Provincial Community Police Forum shall be final and binding.

20 ALTERATIONS TO THE CONSTITUTION

- 20.1** Any alteration to this Constitution shall receive the assent of not less than two-thirds (66.67%) of the members of the PNW present and voting at an Annual General Meeting or a Special General Meeting.
- 20.2** Notice of any such proposed alteration, not initiated by the Executive Committee, shall have first been first submitted to the Executive Committee, in writing, not less than twenty-one (21) clear days before the meeting at which the alteration is to be proposed.
- 20.3** Notice of any Special Meeting to alter the Constitution shall meet the requirements of Clause 15.8.
- 20.4** No alteration shall be made to Clauses 3,4,5 or this Clause 20 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 the PNW to cease to apply the principles of the WCPC.

21 DISSOLUTION



- 21.1** The PNW may be dissolved by a two-thirds (66.67%) majority vote of members present and voting at a duly constituted special general meeting of members.
- 21.2** Notice of such meeting must be given not less than fourteen (14) days before such meeting.
- 21.3** The notice shall set out the resolution to be debated and voted on.
- 21.4** Notice shall be by publication on the PNW website, social media platforms, a local newspaper and via email, and notice in this manner shall be deemed sufficient communication.
- 21.5** The quorum for this special meeting shall be fifty (50) members or one quarter (25%) of the total membership of the PNW, whichever is the lesser.
- 21.6** In the event that a quorum is not present, then the meeting, with the same agenda, shall be adjourned to a date not more than ten (10) days later, and the members attending at such reconvened meeting shall be the quorum, even if conditions as laid out in Clause 21.5 are not met.



PINELANDS NEIGHBOURHOOD WATCH

- 21.7 Members are entitled to attend and exercise their right to speak and vote in person only.
- 21.8 No proxies are allowed for any part of the meeting.
- 21.9 The meeting will be chaired by the chairperson of the local Community Police Forum or an independent person agreed on by the majority of members present and voting at the meeting.
- 21.10 Reference to the mandate given to the chairperson shall be made and duly recorded in the minutes of the meeting.
- 21.11 The PNW shall invite the following people to be present at the meeting
- 21.11.1 the local Community Police Forum; and
 - 21.11.2 the local Station Commander of the South African Police Service; and
 - 21.11.3 a representative from the Department of Community Safety.
- 21.12 For the purpose of this meeting all elected and appointed officers may attend only as an ordinary member.
- 21.13 In the event that the PNW is dissolved, then the local Community Police Forum shall have the power to:
- 21.13.1 become the custodian of all equipment, other assets, funds and documentation pertaining to the PNW;
 - 21.13.2 obtain a copy of the statement of accounts, or account and statement, for the previous and final accounting period of the PNW, which the last elected officers of the PNW are obliged to provide;
 - 21.13.3 immediately cancel the mandate as recorded that the PNW holds with any banking institution;
 - 21.13.4 appoint members from its executive as signatories to the said banking account/s;
 - 21.13.5 hold all funds and assets in trust until such time that the community again organises themselves in a neighbourhood watch;
 - 21.13.6 In the interim sustain any and all current project/s and attend to the administration of the dissolved PNW structure, including the payments to creditors, if any.
- 21.14 If, after an agreed time period for restructuring of the neighbourhood watch structure and all efforts to the effect has failed, the local Community Police Forum may donate the assets of the dissolved PNW to any organization provided that such organisation:
- 21.14.1 Is a neighbourhood watch with similar aims and objectives as that of the PNW; and/or
 - 21.14.2 Is a charitable institution or institutions having objectives similar to the objectives of the PNW; and/or
 - 21.14.3 Is a non-profit organisation (registered or not); and
 - 21.14.4 Preferably operates within the same geographic area as the PNW.

Thus done and approved by at least 66.67% of members present and voting at the AGM of the Pinelands Neighbourhood Watch held at Pinelands on Wednesday 25th April 2018.

	
Chairman (signature)	Secretary (signature)
HEIDI EBRAHIM	ROBERT CRACKNELL
(Print Name)	(Print Name)



PINELANDS NEIGHBOURHOOD WATCH

ANNEXURE A – PINELANDS SAPS PRECINCT MAP

