

CONSTITUTION OF THE MONTESEEL COMMUNITY POLICE SUB-FORUM

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APPENDIX

Annexure A

Code of Conduct

1. PREAMBLE

NOTING that Chapter 11 of the Constitution of the Republic of South Africa, 1996, provides for accountability of the South African Police Service to the communities they serve;

AND NOTING that Chapter 7 of the South African Police Service Act, 1995 (Act 68 of 1995), provides for the establishment of Community Police Forums and Boards through which the South African Police Service can liaise with communities with a view to promoting efficient and effective service;

AND WHEREAS Section 19 of the South African Police Service Act of 1995, provides that a Community Police Forum may establish community police sub-forums, which shall be broadly representative of the local community;

AND WHEREAS Regulation 3 of the South African Police Service Interim Regulations for Community Police Forums and Boards of 2001 provides that a community police sub-forum may be established in respect of any part of the station area or to deal with policing matters mainly affecting the members of a certain section of the community in the station area;

AND WHEREAS Regulation 7 of the South African Police Service Interim Regulations for Community Police Forums and Boards of 2001 prescribes the contents of the Constitution of a community police sub-forum;

AND WHEREAS Regulation 3 of the South African Police Interim Regulations for Community Police Forums and Boards of 2001 provides that at an inaugural meeting of all community based organisations, institutions, interest groups and the general public in the relevant part of the station area or the members of the relevant section of the community within the station area concerned, a constitution of a community police sub-forum must be

adopted by majority vote and a chairperson and executive committee elected in accordance with the procedure provided for in the constitution;

THEREFORE we as members of a community based organisation, institution, interest group and the general public in the Monteseel area in the SAPS station area of Inchanga, hereby adopt this Constitution for the MONTESEEL COMMUNITY POLICE SUB-FORUM.

2. INTERPRETATION

2.1. In this Constitution, unless clearly inconsistent with or otherwise indicated by the context -

2.1.1. “**Cluster Board**” means the Community Police Board established in respect of the group of police stations wherein the South African Police Service has included the Hillcrest station for management purposes and which is regarded as having been established in terms of section 20 of the Act,

2.1.2. “**Constitution**” means the Constitution of the Monteseel Community Police Sub-forum as set out in this document and the appendices hereto;

2.1.3. “**Community Police Forum**” means the Community Police Forum established for the Inchanga station area in terms of section 19 of the Act;

2.1.4. “**Community Police Sub-forum**” means the Community Police Sub-forum referred to in section 3 of the Constitution;

2.1.5. “**Department**” means the Department of Community Safety and Liaison KZN

2.1.6. “**Executive Committee**” means the Executive Committee contemplated in section 11 of the Constitution;

- 2.1.7. **“Police Service”** means the South African Police Service;
- 2.1.8. **“the Act”** means the South African Police Service Act, 1995 (Act 68 of 1995);
- 2.1.9. **“the Regulations”** means the South African Police Service Interim Regulations for Community Police Forums and Boards, 2001 (Published under GN R384 in GG 22273 of 11 May 2001
- 2.2. Any reference in this Constitution to legislation or subordinate legislation is to such legislation or subordinate legislation at the date of adoption hereof and as amended or re-enacted from time to time.
- 2.3. Words importing the singular shall include the plural, and *vice versa*, words importing the masculine gender shall include the feminine and neuter genders, and *vice versa*, and words importing natural persons shall include legal persons, and *vice versa*.
- 2.4. If any provision in the definition clause is a substantive provision conferring rights or imposing obligations on a party, then notwithstanding that such provision is contained in this clause, effect shall be given thereto as if such provision were a substantive provision in the body of the Constitution.
- 2.5. When any number of days is prescribed in this Constitution, same shall be reckoned exclusively of the first and inclusively of the last calendar day.

3. ESTABLISHMENT AND NAME OF COMMUNITY POLICE SUB-FORUM

- 3.1. The Monteseel Community Police Sub-forum for the Inchanga SAPS police station is hereby established in terms of section 19 of the Act

4. VISION

- 4.1 The vision of the Community Police Sub-forum is community mobilisation towards a safe and peaceful Monteseel area within the Inchanga SAPS station area.

5. AIMS AND OBJECTIVES

The aims and objectives of the Community Police Sub-forum are to –

- 5.1 establish and maintain a partnership between the community and the Police Service;
- 5.2 promote effective communication between the Police Service and the community;
- 5.3 promote cooperation between the Police Service and the community to fulfill the needs of the community regarding policing;
- 5.4 improve the rendering of police services to the community;
- 5.5 improve the transparency in the Police Service and the accountability of the Police Service to the community;
- 5.6 promote joint problem identification and problem-solving by the Police Service and the community;
- 5.7 promote community policing in the Monteseel area
- 5.8 consult with and advise the Community Police Forum, the department and the Station Commissioner or their delegates with regard to all matters pertaining to community policing in the Monteseel area in the Inchanga SAPS station area.

- 5.9 To maintain and operate a WhatsApp group, social media system whereby community members can be informed of incidents as well as meetings and social gatherings held in the area and as arranged by the committee.

6. LEGAL NATURE AND POWERS OF THE COMMUNITY POLICE FORUM

- 6.1. The Community Police Sub-forum is a juristic person and a non-profit making organisation which acts through the Executive Committee.
- 6.2. The Community Police Sub-forum, notwithstanding any change of its members or management, will exist as a voluntary organisation with legal personality independently of its members.
- 6.3. The Community Police Sub-forum has all the powers and may perform all the functions necessary to pursue its aims and objectives.
- 6.4. The Community Police Sub-forum may own assets, incur losses and liabilities, enter into contracts and institute or defend any legal proceedings in its own name.
- 6.5. All immovable property or registerable rights obtained by the Community Police Sub-forum shall be registered in the name of the Community Police Sub-forum.
- 6.6. The Executive Committee represents the Community Police Sub-forum and all acts performed by the Executive Committee or on its authority are the acts of the Community Police Sub-forum.
- 6.7. The Community Police Sub-forum may make rules and issue guidelines in respect of the achievement of its aims and objectives, the execution of its powers and the

execution of the powers and functions of the Executive Committee: Provided that any such rule or guideline may not be in conflict with the provisions of the Constitution.

7. INDEMNITY OF COMMUNITY POLICE SUB-FORUM MEMBERS

7.1 All members, including members of the Executive Committee, are–

7.1.1 indemnified by the Community Police Sub-forum against all proceedings, costs and expenses incurred by reason of any act, omission or incident during the performance of their duties on behalf of the Community Police Sub-forum, unless they have acted with gross negligence or in a manner that constitutes willful misconduct; and

7.1.2 not personally liable for any liabilities of the Community Police Sub-forum.

8 COMPOSITION OF COMMUNITY POLICE SUB-FORUM

The Community Police Sub-forum is composed of –

8.1 members from the community who own property, reside within the area recognized as forming the Monteseel sub-forum area of interest who are above the age of eighteen. In addition

8.1.1 between one and three representatives from any other relevant organisation identified by the Community Police Sub-Forum.

8.2 additional members such as the Station Commissioner *ex officio* and between one and three members of the Police Service designated by the Station Commissioner from time to time and which the Community Police Sub-forum may, whenever the

Community Police Sub-forum deems it necessary, co-opt to serve on the Community Police Sub-forum in an advisory capacity.

9 MEMBERSHIP REQUIREMENTS

9.1 Members of the Community Police Sub-forum shall render their services on a voluntary basis and shall have no claim to compensation solely for services rendered to the forum.

9.2 Members of the Community Police Sub-forum must be resident in the Monteseel area within the Inchanga SAPS Police station area. No person residing in another area may be a member of the Monteseel Community Police Sub-forum.

10 DECISION MAKING PROCEDURES

10.1 The Community Police Sub-forum shall, as far as reasonably possible, reach decisions by consensus. If consensus cannot be achieved, the Community Police Sub-forum shall vote on the matter. If the votes are tied, the Chairperson shall adjourn the meeting and reconvene the meeting in accordance with this Constitution after having identified an expert to provide advice to the meeting regarding the matter that led to the votes being tied.

10.2 If, upon the resumption of the meeting and after the Community Police Sub-forum has considered the advice of the identified expert, the votes of the members are still tied, the Chairperson shall have a casting vote in addition to his or her deliberative vote.

11 COMPOSITION OF EXECUTIVE COMMITTEE

11.1 The Executive Committee of the Community Police Sub-forum consists of –

11.1.1 Chairperson;

11.1.2 Deputy Chairperson;

11.1.3 Secretary;

11.1.4 Treasurer;

11.1.5 Six additional members who may be co-opted to assist such as a Deputy Secretary or Public Relations Officer or to head a specific committees such as Security, Public Relations and any other specific task aimed at improving the service of the Executive Committee to the community.

12 PROCEDURE FOR THE ELECTION OF EXECUTIVE COMMITTEE

12.1 The Executive Committee must be elected at an Annual General Meeting of the Monteseel Community Police Sub-forum.

The following procedure shall apply in respect of the election of the Executive Committee.

- a) Nominations for the Exco officers, duly proposed and seconded, shall be delivered to the Secretary 7 (seven) days before the Annual General Meeting, with the consent of each nominee. Retiring Exco Officers standing for re-election shall not be required to deliver such notice. In the event of no nominations being received for an Exco post prior to the meeting, and at the discretion of the Chairman nominations maybe accepted from the floor.
- b) Within 7 (seven) days of the holding of such annual general meeting, the Committee shall meet and shall elect from its own number the chairman,

vice-chairman and secretary and treasurer, who shall hold their respective offices for the term referred to in 13. Terms of Office of this constitution.

- c) Provided that the office of the chairman or vice-chairman shall ipso facto be vacated by the Exco holding such office upon his ceasing to be a Exco for any reason. No one shall be appointed to more than one of the aforesaid offices.

12.1.1 At the first meeting of the elected members of the Executive Committee the following positions are to be voted on in the following order –

- a) Chairperson;
- b) Deputy Chairperson;
- c) Secretary;
- d) Treasurer;
- e) Six additional members,
- f) Any other persons as allowed for by Sec 14.2.3 of the constitution.

12.1.2 The Chairperson shall conduct a simple vote for each candidate by a showing of hands

- a) each member present at the Annual General Meeting may, having regard to the grounds of disqualification to hold office as a member of the Executive Committee contained herein, the Code of Conduct attached hereto and any other relevant consideration, scrutinise the names of nominees and raise an objection to any of the names appearing or not appearing on the ballot papers and request the removal, addition or

substitution of any name on the ballot papers, which request must be voted on by members present at the Annual General Meeting referred to in section 8.1 of the Constitution;

- 12.1.3 each member present at the Annual General Meeting referred to in section 8.1 has one vote for each Executive Committee member;
- 12.1.4 after the votes are cast, the Chairperson must determine whether any candidate must be declared duly elected, and in the event that no candidate can be declared duly elected, further rounds of balloting must be held, with names of those candidates who received the least votes and whose votes when combined with each other do not exceed the number of votes obtained by the leading candidate, must be eliminated from the following round of the ballot;
- 12.1.5 the Chairperson must announce the results of each round of balloting to the Annual General Meeting before the following round commences;
- 12.2 The Chairperson must announce the final result of each position immediately after the conclusion of the vote in respect of that position.
- 12.3 any newly elected member of the Executive Committee takes office upon closure of the Annual General Meeting;
- 12.4 any outgoing member of the Executive Committee must present a handover report to the newly elected member of the Executive Committee within fifteen (15) days of the date of the Annual General Meeting;

- 12.5 An Executive Committee member shall cease to hold office if he or she –
- 12.5.1 resigns his or her office by notice in writing to the Community Police Sub-forum;
 - 12.5.2 is or becomes of unsound mind;
 - 12.5.3 surrenders his or her estate as insolvent or his or her estate is sequestered;
 - 12.5.4 is convicted of an offence which involves dishonesty;
 - 12.5.5 is or becomes disqualified from being appointed or acting as a director of a company or as a member of a close corporation;
 - 12.5.6 is absent from three consecutive meetings of the Executive Committee without special leave of absence given by the Chairperson, or without good reason given to the Executive Committee; or
 - 12.5.7 ceases to be a member of the Community Police Sub-forum.
- 12.6 The Executive Committee has the right to co-opt any member of the Community Police Sub-forum as a member of the Executive Committee to fill any vacancy pending the election of another Executive Committee member by the Community Police Sub-forum at a Special General Meeting.
- 12.7 The Community Police Sub-forum may, at a Special General Meeting, remove any Executive Committee member before the expiry of his or her term of office and elect another Executive Committee member in his or her place to hold office for the remainder of the term of office of the Executive Committee member so removed: Provided that the intention to vote upon his or her removal from office was specified in the notice convening the meeting.

13 TERM OF OFFICE

- 13.1 The term of office of elected members of the Executive Committee is **2 years** and any member may be re-elected for more consecutive terms.

14 POWERS AND FUNCTIONS OF EXECUTIVE COMMITTEE

- 14.1 The Executive Committee is responsible for the management of the affairs of the Community Police Sub-forum and it has the authority to attend to any matter that could or might be attended to by the Community Police Sub-forum, except where a matter is specifically reserved in this Constitution to be dealt with by a meeting of the Community Police Sub-forum.

- 14.2 Without in any way limiting the powers and authority of the Executive Committee, the Executive Committee has the following powers and functions:

- 14.2.1 to pass any resolution or take any decision, that may be necessary or expedient in order to achieve the objectives of the Community Police Sub-forum: Provided that the Executive Committee may not pass a resolution or take a decision that is inconsistent with this Constitution, or any resolutions or decisions of a meeting of the Community Police Sub-forum passed or taken prior to the date of the resolution or decision by the Executive Committee;

- 14.2.2 at such intervals as the Executive Committee may require, but at least once every financial year, to cause the accounting records of the Community Police Sub-forum to be checked, by an independent person appointed by the Executive Committee, for compliance with Generally Accepted Accounting Practices and certified as a true reflection of the income, expenditure, assets and liabilities of the Community Police Sub-forum;

Should any member of the Community Police Sub-forum dispute the accounting records administered and controlled by the Exco they may at their cost have them audited by an accounting practice of their choice.

14.2.3 subject to approval at a meeting of the Community Police Sub-forum, to form sub-committees from the members of the Community Police Sub-forum for special, general or *ad hoc* purposes and to delegate to any such sub-committee all or any of the powers conferred on the Executive Committee by this Constitution;

14.2.4 subject to approval at a meeting of the Community Police Sub-forum, to institute, conduct, defend, oppose, settle or abandon any legal proceedings, by or against the Community Police Sub-forum, or otherwise concerning the affairs of the Community Police Sub-forum, and to settle or allow time for payment in satisfaction of any debts or any claims or demands by or against the Community Police Sub-forum

14.2.5 subject to approval at a meeting of the Community Police Sub-forum, to invest, re-invest and deal with any monies of the Community Police Sub-forum, not immediately required for the purposes of the Community Police Sub-forum, upon such securities and on such terms as it may deem fit, and from time to time to vary or realise such investments;

14.2.6 subject to approval at a meeting of the Community Police Sub-forum, to sell, lease, alienate or otherwise dispose of part or parts of the movable or immovable property or any right of the Community Police Sub-forum, as it may think most beneficial to the Community Police Sub-forum, and to apply the

consideration arising therefrom as it may think most advantageous to the Community Police Sub-forum;

14.2.7 subject to approval at a meeting of the Community Police Sub-forum, to purchase, hire or take in exchange or otherwise acquire any movable or immovable property or rights for the Community Police Sub-forum;

14.2.8 approve any communication from the Community Police Sub-forum to the public.

14.2.9 subject to approval at a meeting of the Community Police Sub-forum, to utilise the assets and funds of the Community Police Sub-forum for the objects of the Community Police Sub-forum, as set out in this Constitution.

14.2.10 subject to approval at a meeting of the Community Police Sub-forum, to create a closed WhatsApp group to disseminate and receive information of criminal acts, suspicious vehicles and persons being observed and other instances of interest to the Sub-Forum's patrollers and members. To this end only members of the Sub-Forum may be privy to the information and to ensure confidentially a list of authorized uses will be maintained by the Exco System Operators.

14.2.11 The Community Police Sub-forum may at a general meeting overturn, approve or amend any decision of the Executive Committee: Provided that no such decision by the Community Police Sub-forum will adversely affect any pre-existing right of any person or invalidate any action already taken by the Executive Committee.

15 DUTIES OF MEMBERS OF THE EXECUTIVE COMMITTEE

15.1 The Chairperson must –

15.1.1 ensure execution of all decisions of the Executive Committee;

15.1.2 preside over all meetings;

15.1.3 represent the Community Police Sub-forum at meetings, forums and events; and

15.1.4 present reports on the work of the Community Police Sub-forum at all meetings;

15.2 The Deputy Chairperson must –

15.2.1 in the Chairperson's absence, assume all functions of the Chairperson and in the absence of both the Chairperson and the Deputy Chairperson at any meeting, the Executive Committee shall nominate one of their members to preside at such a meeting;

15.2.2 in conjunction with the Treasurer, ensure that the funds of the Community Police Sub-forum are administered in accordance with the objectives, decisions and resolutions of the Community Police Sub-forum; and

15.2.3 prepare and circulate the annual report of the activities of the Community Police Sub-forum, which must include the authenticated annual financial statements.

15.3 The Secretary must –

15.3.1 ensure that the minutes of all meetings, procedures and resolutions are recorded;

- 15.3.2 receive and dispatch all correspondence to and from the Community Police Sub-forum;
- 15.3.3 arrange all meetings in consultation with the Chairperson;
- 15.3.4 ensure the safekeeping of all official documents of the Community Police Sub-forum;
- 15.3.5 send out notices of meetings;
- 15.3.6 in consultation with the Chairperson attend to all correspondence; and
- 15.3.7 perform all other duties usually associated with the office of Secretary.

15.4 The Deputy Secretary must –

- 15.4.1 in the Secretary's absence, assume all functions of the Secretary and in the absence of both the Secretary and the Deputy Secretary at any meeting, the Executive Committee shall nominate one of their members to act as Secretary at such a meeting;
- 15.4.2 assist the Secretary in the performance of his or her functions.

15.5 The Treasurer must –

- 15.5.1 open an account with an institution registered with the Financial Services Board in the name of the Monteseel Community Police Sub-forum;
- 15.5.2 Assure the timely payment of annual admin fees by members of the Sub-forum;
- 15.5.3 prepare an annual budget and fundraising strategy for the Community Police Sub-forum for approval at an Annual General Meeting;

- 15.5.4 manage all funds received and expenditure by the Community Police Sub-forum;
- 15.5.5 keep record and proof of all monies received or expended by the Community Police Sub-forum;
- 15.5.6 deposit all monies received by the Community Police Sub-forum in its account on the first banking day of each month;
- 15.5.7 prepare a quarterly income and expenditure report for submission to and approval by the Community Police Sub-forum;
- 15.5.8 prepare authenticated annual financial statements to be approved at an Annual General Meeting;
- 15.5.9 ensure adherence to the principles contemplated in the Public Finance Management Act, 1999 (Act No 1 of 1999); and
- 15.5.10 account to the Executive Committee and the Community Police Sub-forum on the execution of his or her duties.

15.6 The Public Relations Officer must –

- 15.6.1 act as liaison between the Community Police Sub-forum and the general public within a station area;
- 15.6.2 promote communication between the Community Police Sub-forum and the communities within the station area; and
- 15.6.3 execute these duties in consultation with the Executive Committee members

15.7 Additional Members have their duties allocated to them by the Chairperson.

16 MEETING PROCEDURES

16.1 Save as otherwise provided in this constitution, the chairman shall preside over all meetings of the Committee and all general meetings of members, and shall perform all duties incidental to the office of chairman and such other duties as may be prescribed by the Exco or by the members, and to allow or to refuse to permit invitees to speak at any such meetings, provided, however, that any such invitees shall not be entitled to vote at any such meetings.

16.2 Executive Committee Meetings:

16.2.1 The Executive Committee shall meet from time to time as they consider necessary.

16.2.2 Seven (7) days' notice of such meetings shall be given, except in case of an emergency.

16.3 Community Police Sub-forum Meetings:

Community Police Sub-forum meetings shall be held quarterly or whenever deemed necessary to attend to its business, provided that seven (7) days' notice of such meetings must be given.

16.4 Annual General Meeting (AGM):

16.4.1 An AGM shall be held during the last quarter of each calendar year in order to –

a) approve the minutes of the preceding AGM;

- b) approve the certified annual financial statements;
- c) approve the annual report of the Executive Committee;
- d) consider and deliberate on the keynote address of the Chairperson;
- e) consider and deliberate on any draft resolutions on matters pertaining to the objectives of Community Policing in the station area;
- f) every second year, elect an Executive Committee; and
- g) attend to any matter contemplated in the Constitution.

16.4.2 Representatives referred to in section 8 of the Constitution as well as the general public who reside in the Monteseel Community Police Sub-Forum area shall be notified of the date, time, venue and agenda of an AGM at least twenty one (21) days prior to the meeting.

16.5 Special General Meeting:

16.5.1 The Executive Committee may instruct the Secretary to convene a Special General Meeting to discuss and rule on any special matters contemplated in the Constitution.

16.5.2 The Secretary shall, upon request from at least 25% of the members of the Community Police Sub-forum, call a Special General Meeting of all members referred to in section 8.1 of the Constitution to discuss and resolve issues stated clearly in writing by members requesting such a meeting.

16.5.3 Notice of a Special General Meeting shall be given to members referred to in

section 8.1 at least twenty one (21) days in advance.

16.6 Notices:

- 16.6.1 All notices and communications for and on behalf of the Community Police Sub-forum will be communicated by WhatsApp transmission. Upon becoming a member, such member acknowledges to the Secretary that notices will be transmitted by WhatsApp transmission and the member will confirm the number to be utilized for these notices.
- 16.6.2 Any member is entitled from time to time by written notice to the Secretary, to change his or her preferred number for means of communication.
- 16.6.3 The WhatsApp transmission report will serve as proof of transmission of any notice in terms of this Constitution.
- 16.6.4 Any notice must include the date, time, venue and agenda items of the meeting.
- 16.6.5 The Secretary must preserve, either electronically or in hard copy, proof of notices sent to members.
- 16.6.6 Any notice shall be deemed to have been received, until the contrary is proved
- a) if sent by WhatsApp on the date of sending such WhatsApp message; and
 - b) if sent by e-mail, on the date of sending such e-mail.
- 16.6.7 Section 16.6.6 shall not operate so as to invalidate the giving or receipt of any written notice, which is actually received by the addressee other than by a

method referred to in this section.

16.6.8 Any notice in terms of or in connection with this Constitution shall be valid and effective only if in writing and if received or deemed to be received by the addressee.

16.6.9 No meeting is invalid solely by reason of the non-receipt by any person entitled to receive the requisite notice.

16.7 Quorum:

16.7.1 The quorum of all meetings shall be 10% of the registered members, plus 1 member. In the absence of a quorum within fifteen (15) minutes after the scheduled commencement time of the meeting the members present at the meeting shall form a quorum.

16.7.2 Meetings shall be conducted in accordance with the generally accepted principles for conducting meetings.

16.8 Minutes:

16.8.1 Minutes of all meetings must be kept and securely filed in accordance with generally accepted filing standards.

16.8.2 After the adoption of the minutes, the Secretary and the Chairperson must sign the minutes.

16.8.3 Voting:

16.8.4 All members, excluding co-opted members in an advisory capacity, are entitled

to vote at any meeting attended by them.

16.8.5 Voting shall take place by way of a show of hands

16.8.6 No voting by proxy shall be permitted and the majority of votes shall bind all members.

17 COMMUNICATION

17.1 The Community Police Sub-forum must communicate to the public in the Monteseel area in the Inchanga SAPS Police Service station area at least on a quarterly basis to inform the public of the work and activities of the Community Police Sub-forum.

17.2 Communication to the public may take the form of press releases, press conferences, editorials, radio interviews, television interviews and paid or sponsored advertisements, News Letter, Face Book or Web Page.

17.3 Only the Chairperson and the Public Relations Officer of the Executive Committee may undertake any public communication with the approval of the Executive Committee and the Station Commissioner and no other member may communicate to the public through any means whatsoever.

17.4 Any official correspondence on behalf of the Community Police Sub-forum addressed to any person or body must be signed by either the Chairperson, or the Deputy Chairperson.

18 AMENDMENT OF CONSTITUTION

- 18.1 This Constitution may only be amended on a decision taken by at least sixty six percent (66%) of members of the Community Police Sub-forum at an Annual General Meeting or at a Special General Meeting, provided that particulars of proposed amendments are given in writing (WhatsApp) and circulated at least twenty one (21) days before such a meeting.

19 MANAGEMENT AND CONTROL OF FINANCIAL AFFAIRS

- 19.1 The funds of the Community Police Sub-forum consist of all monies received or raised by means of donations for the administration and running of the Community Police Sub-forum and its campaigns or projects.
- 19.2 All cheques and financial documentation requiring signature or approval on behalf of the Community Police Sub-forum must be signed jointly by the Chairperson, the Treasurer and another member of the Executive Committee designated by the Executive Committee.
- 19.3 Any agreement or contract to which the Community Police Sub-forum is a party or signatory must –
- 19.3.1 be signed by the Chairperson after obtaining the approval of the Executive Committee; and
- 19.3.2 contain, as a schedule to the agreement or contract, a copy of a dated resolution by the Executive Committee signed by all the members authorising the Chairperson to sign the agreement or contract in question.

20 DISPUTE RESOLUTION PROCEDURES

20.1 The objectives of the Dispute Resolution Procedures are:

20.1.1 to resolve and manage conflict and grievances in the Community Police Sub-forum; and

20.1.2 to address instances of unacceptable conduct by members of the Community Police Sub-forum.

20.2 The Community Police Sub-forum may decide to address misconduct, depending on the seriousness of the misconduct, in terms of this section instead of following the procedure provided for in section 23.

20.3 Disputes which cannot be resolved by the Community Police Sub-forum must be attended to by the Community Police Forum.

20.4 If the dispute still remains unresolved, it must be referred to the Cluster Board for resolution in conjunction with the department.

20.5 No member may refer any dispute to a Court of Law unless all internal remedies have been exhausted.

21 DISSOLUTION

21.1 The Community Police Sub-forum may be dissolved by the Community Police Forum, in consultation with the Station Commissioner and department, at an Annual General Meeting, or at a Special General Meeting called for that purpose by the Community Police Forum.

21.2 Without in any way limiting the power of the Community Police Forum to dissolve the

Community Police Sub-forum, the Community Police Forum may dissolve the Community Police Sub-forum if it has become grossly ineffective or in the event of a legislative of policy change which materially affects the aims, objectives, powers and functions of the Community Police Sub-forum.

21.3 In the event of the dissolution of the Community Police Sub-forum its assets will be disposed of as follows:

21.3.1 if the reason for dissolution was the establishment of an alternative body that will continue the work of the Community Police Sub-forum, then such a body shall accede to the assets of the Community Police Sub-forum;

21.3.2 if the Community Police Sub-forum was dissolved for any other reason, the Police Service shall hand over the assets to a either of our neighbouring Crime Prevention Bodies namely Drummond Farm Watch or Inchanga Neighbourhood Watch.

22 COMPLIANCE WITH TIME-FRAMES

22.1 No act carried out or decision taken in terms of this Constitution shall be invalid merely on the basis that it was carried out or taken outside of the time-frame prescribed by this Constitution.

22.2 Any act so carried out or decision so taken shall only be invalid upon a decision taken by at least sixty six percent (66%) of members of the Community Police Sub-forum at an Annual General Meeting or at a Special General Meeting, provided that –

22.1.1. particulars of the act or decision are given in writing and circulated at least twenty one (21) days before such a meeting; and

- 22.1.2. no such decision by the Community Police Sub-forum will retrospectively affect any right of any person.

23. CODE OF CONDUCT

- 23.1 All members must acquaint themselves with the code of conduct annexed hereto and must abide by its provisions.
- 23.2 All members must sign a copy of the code of conduct.
- 23.3 Any contravention of the code of conduct by a member of the Community Police Sub-forum shall constitute misconduct.
- 23.4 In the event of misconduct being alleged against any member of the Community Police Sub-forum, the allegation(s) must be submitted in writing together with any supporting information to the Secretary.
- 23.5 The Secretary must within fourteen (14) days of receipt of the allegation(s) in writing notify the member concerned of the allegation(s) and schedule a special Executive Committee meeting no sooner than five (5) days after the date of the notice and no later than thirty (30) days after the notice.
- 23.6 The notice must require the member concerned to appear before the Executive Committee at the special meeting to respond to the allegation.
- 23.7 At the special meeting the Executive Committee must consider the allegation and the response of the member concerned and make a finding.
- 23.8 Subject to section 20, in the event of a finding of misconduct, the member concerned loses his membership of the Community Police Sub-forum.

23.9 The former member may, within fourteen (14) days of being notified of the finding of the Executive Committee, lodge an appeal with the Community Police Sub-forum, whose decision will be final and binding.

SIGNED AT MONTESEEL ON THE _____ DAY OF _____ 2020

Chairperson
MONTESEEL Community Police Sub-forum

WITNESSES

1. _____

2. _____

The constitution of the MONTESEEL COMMUNITY POLICE SUB-FORUM was signed on Tuesday 3rd March 2020 by the Chairman, Mr. N Knickelbein after a unanimous vote by members at the SGM. A copy of the signed document can be viewed on request.

**MONTESEEL COMMUNITY POLICE SUB-FORUM
CODE OF CONDUCT**

Each member of the community police sub-forum –

1. commits to the achievement of the objectives of Community Police Forums and Boards set out in section 18 of the South African Police Service Act, 1995 (Act No 68 of 1995);
2. undertakes to observe and uphold the Constitution of the community police sub-forum as may be amended from time to time;
3. shall, at all times –
 - 3.1 observe and uphold the Constitution of the Republic of South Africa, the law and any national and provincial guidelines on community policing;
 - 3.2 be guided by the needs of the community he or she represents and the needs of the Police Service;
 - 3.3 conduct him- or herself with integrity, dignity and honesty;
 - 3.4 endeavour to render his or her best efforts within the confines of his or her ability and available time;
 - 3.5 strive to foster harmonious relationships with community police sub-forum members and to contribute positively to further the aims and objectives of the community police sub-forum;

- 3.6 avoid negative criticism of and unnecessary confrontation with fellow community police sub-forum members;
- 3.7 give and receive advice and constructive criticism where appropriate;
- 3.8 accept the constitutional authority of the Executive Committee of the community police sub-forum;
- 3.9 accept the majority decision of the community police sub-forum in regard to matters put to vote;
- 3.10 endeavour to be punctual in our attendance of meetings of the community police sub-forum and to remain in attendance until excused by the Chairperson or until the end of the meeting;
- 3.11 act only within the scope of the specific objectives of the community police sub-forum in the performance of any actions or execution of any tasks on behalf of the community police sub-forum;
- 3.12 not do or purport to do anything which may bind the community police sub-forum for which he or she has no specific mandate or authority from the community police sub-forum;
- 3.13 refrain from using the community police sub-forum as platform for personal gain or to further or prejudice any third party interests;
- 3.14 refrain from discussing any information pertaining to community policing without the mandate of the community police sub-forum or Police Service at any other forum or meeting;

- 3.15 not wear any insignia or identification mark in respect of any political party, organisation, movement or body while attending a meeting of a Community Police Sub-forum;
 - 3.16 not utilise his or her membership of a Community Police Sub-forum to further or prejudice party-political interests;
 - 3.17 not interact or communicate with the media directly or indirectly without the mandate of the community police sub-forum;
 - 3.18 not be entitled to have access to police registers or files without the approval of the station commissioner concerned and may only be allowed access to police dockets with the prior written approval of the relevant Director of Public Prosecutions; and
 - 3.19 only use property belonging to or under the control of the Police Service with the prior written approval of the Station Commissioner.
- 4 accepts that, without in any way limiting the scope of the provisions of paragraphs 1 to 3 hereof, the following acts or omissions will be regarded as misconduct:
- 4.1 fails to comply with, or contravenes an Act, regulation or legal obligation;
 - 4.2 wilfully or negligently mismanages the finances of the Community Police Sub-forum;
 - 4.3 without permission possesses or wrongfully uses the property of the Community Police Sub-forum;
 - 4.4 wilfully, intentionally or negligently damages and or causes loss of Community Police Sub-forum property;

- 4.5 endangers the lives of self or others by disregarding safety rules or regulations;
- 4.6 prejudices the administration, discipline or efficiency of the Community Police Sub-forum;
- 4.7 misuses his or her position on the Community Police Sub-forum to promote or to prejudice the interest of any political party;
- 4.8 steals, bribes or commits fraud;
- 4.9 accepts any compensation in cash or otherwise from a member of the public for performing her or his duties on the Community Police Sub-forum;
- 4.10 absents or repeatedly absents him or herself from the Community Police Sub-forum activities without reason or permission;
- 4.11 commits an act of sexual harassment;
- 4.12 discriminates against others on the basis of race, gender, disability, sexuality or other grounds outlawed by the Constitution;
- 4.13 performs poorly or inadequately for reasons other than incapacity;
- 4.14 while attending to the activities of the Community Police Sub-forum, is under the influence of an intoxicating, illegal, unauthorised, habit-forming and/or stupefying drug, including alcohol;
- 4.15 while attending to the activities of the Community Police Sub-forum, conducts herself or himself in an improper, disgraceful and unacceptable manner;
- 4.16 assaults, or attempts or threatens to assault, any person while attending to the activities of the Community Police Sub-forum;

- 4.17 incites others to un-procedural and unlawful conduct;
- 4.18 intimidates or victimises fellow members;
- 4.19 falsifies records or any other documentation;
- 4.20 commits a common law or statutory offence.

.....
Signature of member	Date	Place
.....
Signature of witness 1	Date	Place
.....
Signature of witness 2	Date	Place

The constitution of the MONTESEEL COMMUNITY POLICE SUB-FORUM CODE OF CONDUCT was signed on Tuesday 3rd March 2020 by Committee members after a unanimous vote by members at the SGM. A copy of the signed document can be viewed on request.