

UPPER WOODSTOCK RESIDENT'S ASSOCIATION

CONSTITUTION

1. TITLE

The name of the ASSOCIATION shall be "UPPER WOODSTOCK RESIDENT'S ASSOCIATION"

Hereinafter referred to as 'The ASSOCIATION'.

2. LEGAL STATUS

- 2.1 The ASSOCIATION is liable only for its own debts. The granting of assistance to any person or body shall not render the ASSOCIATION liable for the debts of such person or body.
- 2.2 All processes of law, notices and the like shall be regarded as sufficiently served on the ASSOCIATION if served on the chairperson personally. The ASSOCIATION may sue or be sued in the name of its chairperson for the time being, in any court of law in The Republic of South Africa.
- 2.3 The chairperson shall not be personally liable for any loss suffered.
- 2.4 The area covered by the ASSOCIATION shall be: From Eastern Boulevard on the Southern boundary to Victoria Road (Woodstock Main Road) on the Northern boundary and from Queens Park Road on the Eastern boundary to Walmer Road on the Western boundary.

3. GENERAL AIMS AND OBJECTIVES

- 3.1 To promote and safeguard the interests of the community of the area.
- 3.2 To represent the community in its relationship with the local authorities.
- 3.3 To co-operate and liaise with other organisations in order to further the objectives of the ASSOCIATION.

4. SPECIFIC AIMS AND OBJECTIVES

- 4.1 To secure the area against crime.
- 4.2 To encourage good neighbourliness through a neighbourhood watch system.
- 4.3 To clear the area of anti-social behaviour.
- 4.4 To prevent dumping and pollution in public and open spaces.
- 4.5 To enhance the appearance of the area.
- 4.6 To build a community spirit bound together by mutual respect.

5. MEMBERSHIP

Membership of the ASSOCIATION shall be open to anyone who resides, owns or rents property or operates a business within the Area.

6. REGISTRATION OF MEMBERS

- 6.1 An application for membership shall be made to the secretary of the ASSOCIATION in writing or on a prescribed form.
- 6.2 The Committee shall have sole discretion to approve or reject an application for membership. Unsuccessful applicants will have the right to request reasons for refusal.
- 6.3 Immediately after a member is accepted, the secretary shall enter the name in the membership register.

7. MEMBERSHIP FEES

- 7.1 Each member shall pay a subscription fee of at least R50,00 per annum
- 7.2 Subscription fees shall be due and payable upon joining the ASSOCIATION. Thereafter they will be due and payable in advance at the annual general meeting.
- 7.3 The annual subscription fee may be amended at an annual general meeting of the ASSOCIATION by a majority of the members present.
- 7.4 No member shall be entitled to take part in or vote at any meeting, or propose or second any resolution, or propose or second any candidate for membership whilst in arrears with his or her subscription or any other liability to the ASSOCIATION.

8. LIABILITY OF MEMBERS

The liability of each member shall be limited to his or her subscription and to any other debt owing by such member to the ASSOCIATION.

9. SUSPENSION AND EXPULSION

- 9.1 Any member who breaches the code of conduct or refuses to carry out any resolution duly passed by the Committee, or who, in the opinion of the Committee, gives the ASSOCIATION a bad name, may either be suspended by the Committee for such period as it may determine, or may be expelled from the ASSOCIATION.
- 9.2 Written notice of suspension or expulsion shall be given to the member concerned.

10. VOTING

Members shall be allowed to vote at any meeting of the ASSOCIATION. Members have to be present in person to vote.

11. RESIGNATION OF MEMBERSHIP

A member may resign from the ASSOCIATION at any time.

12. MANAGEMENT

12.1 The ASSOCIATION shall be administered by a management Committee (Referred to as the "Committee") consisting of the Chairperson, Deputy Chairperson, Secretary, Treasurer and Communications Officer (Referred to as "Office Bearers") and the members elected and /or co-opted at the annual general meeting. The Committee shall consist of not less than seven people and not more than twelve people.

12.2 The Committee shall hold not less than 10 meetings per year.

13. DUTIES OF OFFICE BEARERS

13.1 The Chairperson, as leader of the ASSOCIATION, chairs all the ASSOCIATION's meetings.

13.2 The Deputy Chairperson takes over the Chairperson's tasks and duties when the Chairperson is absent.

13.3 The Treasurer must keep records of all money coming into and spent by the ASSOCIATION as well as an inventory of all assets. The treasurer shall prepare and table an annual financial statement at the annual general meeting.

13.4 The Secretary is responsible for the smooth running of the administration of the ASSOCIATION. The secretary must keep records and minutes of all meetings and supply the communications officer with relevant information.

The Secretary must ensure that the Councillor(s) for the area are provided with a copy of the minutes of all meetings and are given timeous notice of all meetings

13.5 The Communications Officer is responsible for all dissemination relating to the ASSOCIATION. He or she will handle any distribution of information to members.

14. RE-ELECTION OF OFFICE BEARERS

At every annual general meeting all office bearers shall retire from office but shall be eligible for re-election.

15. VACANCIES ON THE COMMITTEE

In the event of the death or incapacity of the Chairperson, The Deputy Chairperson shall become acting Chairperson. The office of Deputy Chairperson shall be taken over by one of the other office bearers.

16. COMMITTEE MEMBERS ABSENT WITHOUT LEAVE

Any member of the Committee who is absent from more than two consecutive meetings of the Committee without notice shall cease to be a member; provided that the Committee may grant a member leave of absence from not more than three consecutive ordinary meetings of the Committee.

17. REGULATION OF QUORUM AT COMMITTEE MEETINGS

The Committee may meet together for the despatch of business, adjourn or otherwise regulate its meetings. A quorum shall be 50% plus 1 of the total membership of the Committee.

18. MINUTES OF MEETINGS

The Committee shall ensure that minutes are kept of all meetings. These minutes must record the date and place of the meeting, names of those present as well as details of any decisions taken by the Committee.

19. GENERAL AND ANNUAL GENERAL MEETINGS

General meetings of members must be held in the area at least twice a year. One of these meetings must be constituted as the Annual General Meeting.

Copies of all accounts and reports of the ASSOCIATION must be available for inspection.

Notice of any resolution to be proposed at the Annual General Meeting, other than ordinary business, must be lodged with the secretary at least seven (7) days before the date fixed for such meeting.

20. NOTICE OF GENERAL AND ANNUAL GENERAL MEETINGS

Not less than fourteen- (14) days notice of the date, time and venue of General and Annual General Meetings shall be given to each member.

21. SPECIAL GENERAL MEETINGS

The Committee may at any time call a Special General Meeting of members by giving not less than seven (7) days notice, specifying the purpose of the meeting.

The Committee shall in like manner call a Special General Meeting upon receipt of a request signed by not less than twenty (20) members of the ASSOCIATION specifying the purpose of the meeting. Subject to the powers of the committee, no business other than that specified shall be transacted at such meeting, but any resolution strictly relating to such business may be submitted to such meeting.

22. QUORUM AT GENERAL MEETING

A quorum for an annual General Meeting or a Special General Meeting called by the Committee shall be twenty (20) members. If there is no quorum within 15 minutes of the time fixed for the meeting, it will be postponed to the same day and hour of the following week.

In the case of a special meeting called by the request of members, if no quorum be present, it shall be definitely dissolved.

23. VOTING AT ALL MEETINGS

Every question submitted to a meeting shall be decided by a show of hands except where a majority of members calls for a secret ballot. The Chairperson shall have a second or casting vote when the number of votes cast for and against are equal.

24. FINANCES

The ASSOCIATION must ensure that all funds are deposited into a bank account in the name of the ASSOCIATION

Any financial transaction shall require two of the three authorised signatures, one of whom must be either the Chairperson or the Treasurer.

The City of Cape Town reserves the right to inspect the books of account of the ASSOCIATION and if necessary, may require the ASSOCIATION to have their books audited.

25. CODE OF CONDUCT

25.1 The Code of Conduct shall be binding on all members and office bearers of the ASSOCIATION.

25.2 The following rules of conduct shall be observed:

I Members at meetings must at all times conduct themselves in a dignified and orderly manner.

Any member who persists in behaving inappropriately must leave the meeting when so ordered by the Chairperson.

II All members and office bearers shall comply with the aims, objectives and constitution of the ASSOCIATION.

III No member or office bearer shall behave in such a way as to bring the ASSOCIATION into disrepute.

IV No member or office bearer shall influence or attempt to influence the ASSOCIATION in its consideration of a decision on any matter before it so as to gain some direct or indirect benefit for him/herself or any person or body with whom he/she is associated.

V No member or office bearer of the ASSOCIATION shall directly or indirectly accept any gift, reward or favour as a consideration for voting in a particular manner on any matter before the ASSOCIATION.

VI No member or office bearer shall use the facilities or equipment of the ASSOCIATION for his/her personal use.

VII No member or office bearer will be allowed to carry or display firearms or weapons at any meeting.

26. ALTERATION OF CONSTITUTION AND CODE OF CONDUCT

Save for the provisions of clauses 1, 2.4 and 4, this constitution and the code of conduct may not be amended in any way whatsoever by the ASSOCIATION.

27. RECOGNITION OF THE ASSOCIATION BY THE CITY OF CAPE TOWN

The information required for recognition by the Municipality of Cape Town shall be submitted to the Municipality by no later than October of each year.

28. AMALGAMATION AND DISSOLUTION

28.1 The ASSOCIATION may enter into partnership or amalgamate with any entity or association with the same or similar objectives. The moveable property of the ASSOCIATION may be sold and the ASSOCIATION wound up or reconstructed by the resolution of the majority of not less than two thirds of the votes of the members present in person at a Special General Meeting; provided however, that not less than thirty (30) days special notice of the meeting to consider such question, partnership or amalgamation, winding up or reconstruction shall be given, and that such notice clearly sets forth the objectives of the meeting and provides further that no less than twenty (20) members eligible to vote shall be present at any such meeting.

If at any meeting properly called, as aforesaid, the requisite number of members shall fail to attend, then the meeting shall stand adjourned to the same time and place in the next following week. Special notice of the adjourned meeting shall be given by the Secretary and at such adjourned meeting any member or members present shall be deemed to be a quorum and shall have full power to act.

28.2 If upon dissolution of the ASSOCIATION, there remain any assets whatsoever after the satisfaction of all its debts, liabilities and obligations, such assets shall not be paid to or distributed among its members but shall be given to a similar public organisation operating in the area.

Chairperson.....

Secretary.....

Date.....

Date.....

This Constitution was adopted at On