

CONSTITUTION DASCRO NEIGHBORHOOD WATCH Version August 2024

Table of Contents

ARTICLE 1: NAME AND STATUS OF NEIGHBOURHOOD WATCH

ARTICLE 2: AIM

ARTICLE 3: OBJECTIVES

ARTICLE 4: INCOME AND PROPERTY

ARTICLE 5: MEMBERSHIP

ARTICLE 6: MANAGEMENT COMMITTEE

ARTICLE 7: POWERS OF THE MANAGEMENT COMMITTEE

ARTICLE 8: MEETINGS

ARTICLE 9: ENTRANCE FEE AND SUBSCRIPTION

ARTICLE 10: FINANCIAL MATTERS AND EXPENDITURE

ARTICLE 11: LIABILITY

ARTICLE 12: INDEMNITY

ARTICLE 13: ACCOUNTABILITY

ARTICLE 14: AFFILIATION

ARTICLE 15: FUNCTIONS

ARTICLE 16: LOGO AND LETTERHEADS

ARTICLE 17: IDENTITY CARDS

ARTICLE 18: CHANGES TO THE CONSTITUTION

ARTICLE 19: DISSOLUTION/WINDNG-UP

APPENDIX 1 - DASCRO AREA MAP

APPENDIX 2 - CODE OF CONDUCT- MEMBERS OF DASCRO NHW

APPENDIX 3 – STRUCTURE

1. ARTICLE 1: NAME AND STATUS OF NEIGHBOURHOOD WATCH

1.1. The organisation hereby constituted will be called the “DASCRO Neighbourhood Watch”.

1.1.1. Its shortened name will be DASCRO NHW

1.2. DASCRO NHW shall:

1.2.1. Exist in its own right, separately from its members

1.2.2. Continue to exist even when its membership changes and there are different office bearers.

1.2.3. Be able to own property and other possessions.

1.2.4. Not be a legal person and shall function within the guidelines as provided and set out in the Western Cape Provincial Constitution and Code of Conduct for Neighbourhood Watch structures.

1.3.5 Be a voluntary association.

2. ARTICLE 2: AIM

2.1. The aim of the DASCRO NHW is to strive for a safe and secure environment by coordinating community security initiatives in the catchment area of DASCRO NHW (see addendum 1)

3. ARTICLE 3: OBJECTIVES

3.1. To discourage, through our presence/awareness, any prospective criminals.

3.2. To make the residents of DASCRO NHW aware of safety, crime prevention and the protection of their families and property.

3.3 To encourage the community of DASCRO NHW to cooperate with the SA Police Services and local authorities involved in law enforcement.

3.4 To maintain an accurate data base of all criminal activity in the DASCRO NHW area.

3.5 To represent the DASCRO NHW area at the relevant Community Police Forum.

4. ARTICLE 4: INCOME AND PROPERTY

- 4.1. DASCRO NHW will keep a record of its assets.
- 4.2. DASCRO NHW may not give any of its money or property to its members or office bearers, provided that a member/office bearer may be paid for actual work undertaken on its behalf and with its prior consent. The payment must be a reasonable amount for the work that has been done.
- 4.3. A member of DASCRO NHW, with prior authority given by the management committee, may be reimbursed for expenses that he or she has paid for on behalf of DASCRO NHW.
- 4.4. Members or office bearers of DASCRO NHW have no right over the assets owned by it.

5. ARTICLE 5: MEMBERSHIP

- 5.1. DASCRO NHW is a non-profit making organisation providing a service to the community in the DASCRO NHW catchment area. Membership is voluntary and open to any DASCRO resident over the age of eighteen or business in the DASCRO NHW catchment area. Membership shall be for those persons or businesses who wish to participate in the objectives of DASCRO NHW and shall be by registration on the DASCRO NHW database. Only the management committee shall have access to the above database.
- 5.2. Members of DASCRO NHW are encouraged to attend its annual general meetings. At the annual general meeting members may exercise the right to determine the policy of DASCRO NHW.

6. ARTICLE 6: MANAGEMENT COMMITTEE

- 6.1. DASCRO NHW will be administered by a Management Committee.
- 6.2. The Management Committee will consist of at least:
 - 6.2.1. Chairperson
 - 6.2.2. Treasurer
 - 6.2.3. Secretary
 - 6.2.4. Where possible also one to three other elected members
- 6.3. The Chairperson shall be elected by the Management Committee and shall serve for as long as he/she has the support of the Committee or until he/she stands down.
- 6.4. The Management Committee members shall be elected by majority vote at the Annual General Meeting. Management Committee members will serve for one year, but they may stand for re-election for as long as their services are required and offered.

- 6.5. A member of the Management Committee, who does not attend the Management Committee meetings regularly without having applied for and having obtained leave of absence from the Management Committee, may be replaced at the Management Committee's sole discretion.

7. ARTICLE 7: POWERS OF THE MANAGEMENT COMMITTEE

- 7.1. Management: The day to day management of the affairs of DASCRO NHW is vested in the Management Committee. The Management Committee may take on the power and authority that it believes it requires to achieve the objectives stated in this constitution. Its activities must remain within the confines of the law.
- 7.2. Powers: Without detracting from its management responsibility the Management Committee shall have the powers to:
- 7.2.1. Appoint Committees, Sub-committees and Representatives to carry out specific tasks delegated to them. The decisions that sub-committees take must be given to the Management Committee. The Management Committee must decide whether to agree to them or not at its next meeting. By agreeing to decisions the Management Committee ratifies them.
 - 7.2.2. Make, amend, rescind and enforce by-laws and rules of conduct for the efficient running of the affairs of DASCRO NHW.
 - 7.2.3. Determine subscription fees.
 - 7.2.4. Raise funds or invite and receive contributions.
 - 7.2.5. Allocate and spend DASCRO NHW funds as required to run the organisation effectively.
 - 7.2.6. Appoint interim members to fill vacancies on the Management Committee.
- 7.3. All members of DASCRO NHW have to abide by the decisions that are taken by the Management Committee.

8. ARTICLE 8: MEETINGS

- 8.1. Management Committee Meetings:
- 8.1.1. Management Committee meetings should be 3 monthly at least and monthly if there are 4 or more Committee members.
 - 8.1.2. Three members shall be a quorum at such meetings. If there are only 3 Committee members, then only in these circumstances, 2 can be a quorum. Voting by proxy is allowed if the person giving their proxy vote to another EXCO member has mentioned this to the Chair beforehand.
 - 8.1.3. The chairperson shall act as the chairperson of the Management Committee. If the chairperson does not attend a meeting, then the other members of the

Management Committee who are present shall choose which one of them will chair the meeting. This must be done before the meeting starts.

8.1.4. When necessary, the Management Committee will vote on issues. If the votes are equal on an issue, then the Chairperson has either a second or a deciding vote.

8.1.5. Minutes of all meetings must be kept safely by the Committee and always be on hand for members to consult.

8.1.6. Minutes will be taken at each Management Committee meeting. The minutes of each meeting will be forwarded to Management Committee members at least five days before the next Management Committee Meeting. The minutes shall be confirmed as a true record of the proceedings of the previous meeting at the respective current meeting and shall thereafter be signed by the Chairperson.

8.2. General Meetings

8.2.1. The Annual General Meeting must be held once every year, within 60 days of the end of each respective financial year.

8.2.2. Notice must be given to members not less than ten (10) days before the meeting through regular communication channels.

8.2.3. DASCRO NHW should deal with the following business, amongst others, at its Annual General Meeting:

8.2.3.1. Agree to the items to be discussed on the agenda

8.2.3.2. Confirm that the meeting has been properly constituted by proper notice of the meeting

8.2.3.3. Make an attendance register

8.2.3.4. Read and confirm the previous meetings minutes with matters arising.

8.2.3.5. Chairperson's report.

8.2.3.6. Treasurer's report.

8.2.3.7. Changes to the constitution proposed by members.

8.2.3.8. Elect new office bearers.

8.2.3.9. General.

8.2.3.10 Close the meeting.

8.3. A Special General Meeting may be convened at the request of thirty percent of the members of DASCRO NHW. Notice as defined under 8.2.2 must be given prior to such meeting.

8.4. The number of members of DASCRO NHW present at a properly constituted meeting shall be considered a quorum at General Meetings. At such meetings each member present is entitled to one vote, and there will be no voting by proxy. In the case of any equality of votes the Chairperson of the meeting shall have a second or deciding vote.

9. ARTICLE 9: ENTRANCE FEE AND SUBSCRIPTION

9.1. The entrance fee and subscriptions shall be laid down by the Management Committee from time to time.

9.2. Proposed changes to fees shall be ratified at a General Meeting.

10. ARTICLE 10: FINANCIAL MATTERS AND EXPENDITURE

10.1 An Accounting Officer shall be appointed at the Annual General Meeting. His or her duty is to review and check on the finances of the organisation.

10.2 The Treasurer's job is to control the day to day finances. The Treasurer is responsible for the accurate recording of DASCRO NHW's income and expenditure. The Treasurer will present a statement of income and expenditure up to the end of the previous month, every 3 months, to the Committee.

10.3 DASCRO NHW shall operate a bank account into which all funds are to be deposited. The Treasurer shall arrange for banking of all funds in the name of DASCRO NHW. Whenever funds are taken out of the bank account, the Treasurer and Chairperson, or one other member of the Management Committee must sign the withdrawal or transfer. If DASCRO NHW has funds that can be invested, the funds may only be invested with registered financial institutions. DASCRO NHW must obtain qualified and appropriate financial advice from a registered adviser in such an event.

10.4 The Treasurer will keep a reviewable financial system which will be available for scrutiny at any reasonably arranged time.

10.5 The financial year of DASCRO NHW ends on the last day of August of each respective year. The Treasurer will present a consolidated Income and Expenditure Report, duly reviewed for approval by the Annual General Meeting, once a year.

10.6 DASCRO NHW shall be permitted to hold fund-raising campaigns for the purposes of furthering its aim and objectives.

11 ARTICLE 11: LIABILITY

11.1 DASCRO NHW shall not be responsible for civil or criminal acts/omissions perpetrated by any member. Individual members of DASCRO NHW act in their own capacity and shall be liable in that capacity.

12 ARTICLE 12: INDEMNITY

12.1 Each member of DASCRO NHW who acts in its name or on its behalf as a patroller or Rapid Response Team member shall be required to sign a form indemnifying DASCRO NHW from any illegal and/or unauthorised actions by such member.

13 ARTICLE 13: ACCOUNTABILITY

13.1 DASCRO NHW shall be accountable to the local Community Police Forum in the Fish Hoek Police Area.

14 ARTICLE 14: AFFILIATION

14.1 DASCRO NHW is affiliated to the local Community Police Forum in the Fish Hoek Police Area.

15 ARTICLE 15: FUNCTIONS

15.1 DASCRO NHW must assist the South African Police Services in so far as crime prevention in its area is concerned.

15.2 DASCRO NHW shall operate within the framework of the Laws of South Africa.

15.3 DASCRO NHW must work in partnership with the Community Police Form in its area.

15.4 DASCRO NHW may initiate and implement crime prevention projects in consultation with the local Community Police Form in its area.

16 ARTICLE 16: LOGO AND LETTERHEADS

16.1 DASCRO NHW shall design and use its own logo and letterhead. The logo and letterhead must be different to the one used by the SAPS or the local Community Police Forum.

17 ARTICLE 17: IDENTITY CARDS

- 17.1 All DASCRO NHW patrollers and Rapid Response Team members shall carry Identity Cards e.g. minimally a drivers licence. This card shall bear the member's photo, ID number and name.

18 ARTICLE 18: CHANGES TO THE CONSTITUTION

- 18.1 The constitution can be changed by a resolution. The resolution has to be agreed upon and passed by not less than two thirds of the members who are at the annual general meeting or special general meeting. Members must vote at this meeting to change the constitution.
- 18.2 The number of members of DASCRO NHW present at a properly constituted meeting, shall constitute a quorum at such a meeting
- 18.3 Notice has to be given to the members not less than ten (10) days before the meeting at which the changes to the constitution are to be proposed through regular communication channels. The notice must indicate the proposed changes to the constitution that will be discussed at the meeting.
- 18.4 Members wishing to suggest changes to the constitution must submit these in writing to the Management Committee, and the Management Committee will include these proposals when drafting the notice for the next available general or special meeting.

19 ARTICLE 19: DISSOLUTION/WINDING-UP

- 19.1 DASCRO NHW may close down if at least two-thirds of the members are in favour of such closing down and are present and so vote at a special meeting specifically convened for the purpose of considering this matter.
- 19.2 The number of members of DASCRO NHW present at a properly constituted meeting shall constitute a quorum at such meeting.
- 19.3 Should DASCRO NHW cease to operate, it shall settle all its debts. Thereafter, should any monies or assets remain, same may not be paid or given to members of DASCRO NHW. Such monies or assets shall be handed over to another registered non-profit organisation that has similar objectives. DASCRO NHW's final general meeting may decide what organisation this should be.

This constitution was approved and accepted by members of DASCRO NEIGHBORHOOD WATCH at a special (general) meeting held in Noordhoek in September 2024.

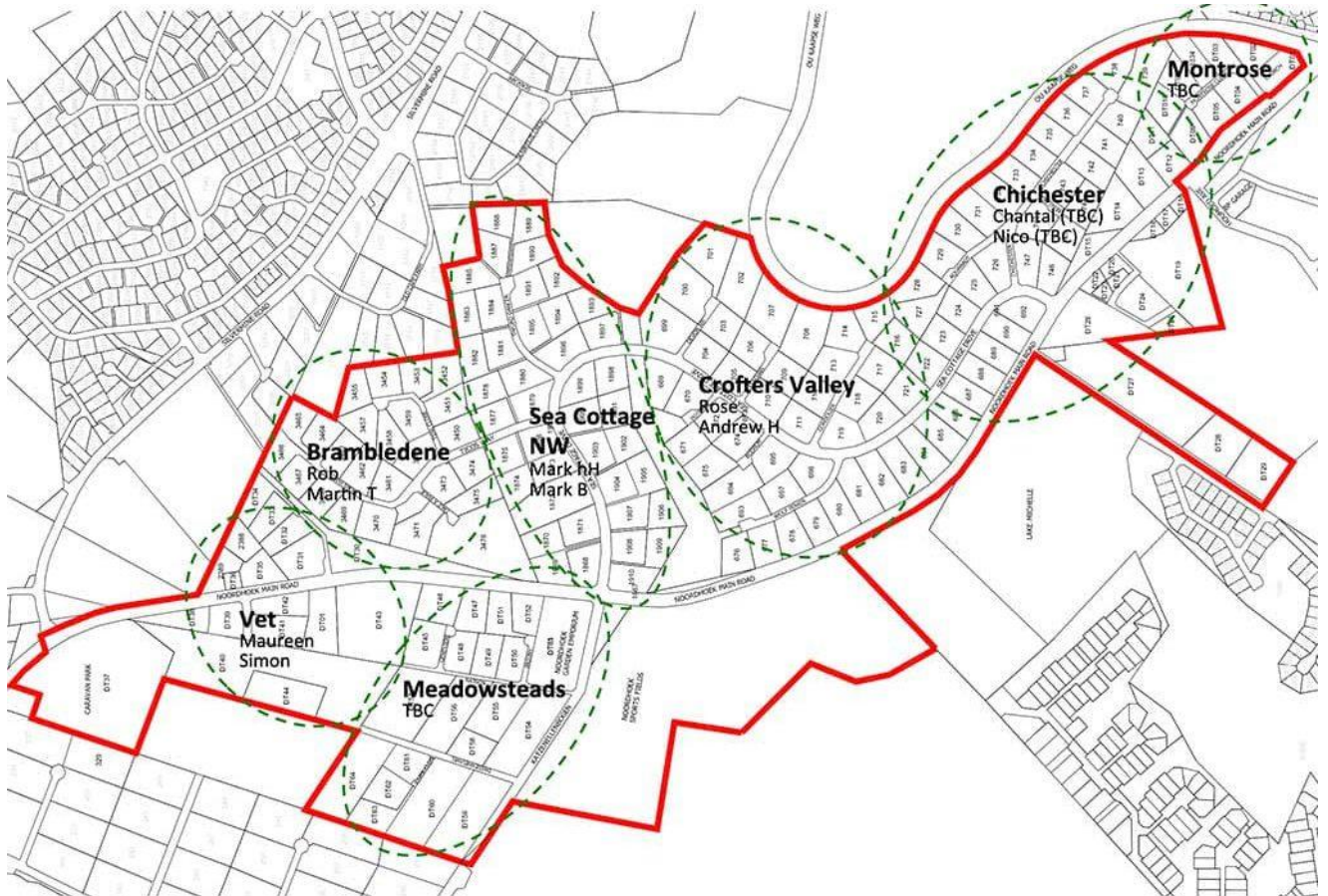
.....
... SECRETARY DASCRO NEIGHBORHOOD WATCH

.....
.. CHAIRMAN DASCRO NEIGHBORHOOD WATCH

.....
.. STATION COMMISSIONER FISH HOEK POLICE

.....
... CHAIRMAN COMMUNITY POLICE FORUM FISH HOEK

APPENDIX 1 DASCRO AREA MAP



APPENDIX 2 - CODE OF CONDUCT- MEMBERS OF DASCRO NHW

This Code of Conduct of DASCRO Neighbourhood Watch shall be binding on all members of the DASCRO Neighbourhood Watch:

1. Members of the DASCRO NHW shall not knowingly engage in criminal conduct.
2. Members of DASCRO Neighbourhood Watch must at all times act in a non-violent manner. No member may take the law into his or her own hands irrespective of circumstances.
3. No member of DASCRO Neighbourhood Watch shall display racism, sexism or any other form of discrimination towards any member or other person.
4. When on patrol, a DASCRO Neighbourhood Watch member may only use “minimum force”, as described in the Criminal Procedure Act No. 51 of 1977, to secure the arrest

of the perpetrator of an offence and no intimidation in whatever form may be used in the communities where such patrols will be taking place.

5. No person under the age of 18 may participate in any patrol.
6. Members of DASCRO Neighbourhood Watch may not divulge any confidential or privileged information that they may have acquired as a result of their membership of the DASCRO Neighbourhood Watch.
7. Any member of DASCRO Neighbourhood Watch found to be making public statements and/or addressing the media as a spokesperson for DASCRO Neighbourhood Watch without permission from the Chairperson/Vice-Chairperson of the DASCRO Neighbourhood Watch duly mandating that member to act for and on behalf of DASCRO shall be guilty of a serious breach of the Code of Conduct, resulting in the immediate suspension of the member pending expulsion subject to full investigation and decision on the matter.
8. No member of DASCRO Neighbourhood Watch may exploit his or her membership DASCRO Neighbourhood Watch for personal advantage or benefit.
9. Members of DASCRO NHW must at all times act in a manner that will uphold and promote its aim and objectives.

APPENDIX 3 - STRUCTURE

1. DASCRO NHW shall be a non-profit making organisation.
2. DASCRO NHW has no political affiliations.
3. DASCRO NHW will operate in partnership with the CPF and SAPS.
4. DASCRO NHW, when doing patrols, will only use minimum force as described in the Criminal Procedures Act, Act 75 of 1997 to arrest an offender. No one may be intimidated by these patrols.
5. DASCRO NHW structure and its members are not a substitute for the South African Police Services.