CONSTITUTION FOR THE COMMUNITY POLICE FORUMS

1. NAME

1.1 The name of the Community Police Forum Shall be The Germiston Community Police Forum (hereinafter, referred to as “the forum’ established subject to the provisions of sections 18-23 of the South African Police Service Act, Act 68 of 1995 “the Act”).

1.2 The “directives” shall mean the Gauteng Provincial Directives for Community Police Forums and Boards, 2005 Issued by the MEC for Safety and Security to the Provincial Commissioner in terms of the Act.

1.3 The “Interim Regulations” shall mean the South African Police Service Interim Regulations for Community Police Forums and Boards, 2001 promulgated by the Minister of Safety and Security in terms of the Act.

2. BODYCORPORATE

2.1 The forum shall

(a) exist in its own right, separately from its members;

(b) continue to exist even when its membership and office bearers change;

(c) be able to own property. (Movable and immovable, corporeal and incorporeal) and other possessions;

(d) be able to sue and be sued In Its own name; and

(e) be able to contract in its own name.

2.2 No member of the forum shall be liable in any way for any loss or damage that may be suffered by the forum through any act or omission of that member or of any other member of the forum or by the forum or any of its servants or agents in the execution of any duty, unless such damage or loss is a result of that member's wilful act, negligence or fraud.

2.3 No member shall have the right to or interest in any of the property or funds of the forum.

2.4 The forum shall apply its surplus Income in promoting its objectives and shall not, at any time, make any distribution or pay any dividend or surplus to any of its members.

2.5 The registered address of the forum shall be as determined by the Executive Committee from time to time, Initially being [WE NEED TO ADD AN ADDRESS HERE]

3. OBJECTIVES

The forum’s objectives are to:

3.1 establish and maintain a partnership between the community and the police;

3.2 promote communication between the community and the police;

3.3 promote co-operation between the community and the police in fulfilling the needs of the community regarding policing;

3.4 improve the rendering of police services to the community at local level;

3.5 improve transparency in the service and accountability of the police to the community;

3.6 promote joint problem identification and problem solving by the police and the community in relation to crime, service delivery, disorder, and poor community police relations;
3.7 monitor the effectiveness and efficiency of the police;
3.8 evaluate the provision of visible policing in the station area,

4. RESPONSIBILITIES

The forum’s responsibilities are to -

4.1 advise the SAPS regarding local policing priorities and jointly identify policing for for presentation to the MEC for Community Safety;
4.2 facilitate, the resolution of concerns, problems and complaints from community members regarding policing;
4.3 harmonize the relationship between the police and the community;
4.4 request the station commissioner to provide crime trends and tendencies on a policing area on a monthly basis;
4.5 obtain regular feedback from the community about the quality of police service delivery;
4.6 initiate community based crime-prevention projects
4.7 inform the community about the activities of the forum;
4.8 ensure effective management of the forum’s resources;
4.9 request enquiries into policing matters in the station Area;
4.10 promote the implementation of sector policing;
4.11 monitor the effectiveness and efficiency of the police;
4.12 evaluate the provision of visible policing priorities, including -
   (i) the provision, and staffing of the police station;
   (ii) the reception and processing of complaints and charges;
   (iii) the prosecution of offenders.

5. POWERS

5.1 The forum shall have all the powers necessary to enable it to achieve its objectives and to fulfil its responsibilities.
5.2 The forum shall in particular have the following powers
   5.2.1 to appoint office bearers to assist in the performance of its functions and to dismiss any of them;
   5.2.2 to open, operate or close bank accounts in the name of the forum
   5.2.3 to do all such things as are incidental or conducive to the interests of the forum and its members or to the attainment of all or any of the above objectives.

6. COMMUNITY PARTICIPATION

All persons who live or work in the station area or conduct business [OR OTHER PARTIES THAT MAY HAVE A VESTED INTEREST OR CONTRIBUTION TO THE FORUM] in the station area may participate in the activities and attend meetings of the forum. The forum may invite others to attend too.

7. MEMBERSHIP
7.1 Membership of the forum shall be open to all CPF Sub-Forums, CPF Street Committees, CPF Neighbourhood-Watches and Patrol Groups, faith based organizations, non-governmental organizations, formal and informal business organizations, and other social organizations which serve the community and interested individuals with a good standing.

7.2 Organizations mentioned in 7.1 and individuals shall apply for membership of the forum in writing to the CPF executive committee which application shall include an undertaking by the applicant to be bound by the provisions of this Constitution. The Executive Committee shall be entitled to admit such applicant as a member. All CPF Sub-Forums, Street Committees, CPF Neighbourhood Watches and CPF Patrol Groups shall automatically be registered, as members at the forum by the Station Commissioner within seven days after their establishment.

7.3 The forum may cancel the membership, disestablish or disband any of its structures including any CPF Sub-Forum, CPF Street Committee or CPF Neighbourhood Watches upon realizing that such a structure is functioning contrary to the directives or the Interim Regulations.

7.4 The Metropolitan/Municipal Community Police Board may, on good cause, cancel membership, disestablish or disband any forum, CPF Sub-Forum and any of its structures upon realizing that such a structure is functioning contrary to the directives or the Interim Regulations.

7.5 The Metropolitan/Municipal Board may, on good cause, overturn or reverse any decision of the CPF in relation to cancel membership, disestablish or disband any Thrum, CPF Sub-Forum and any of its structures (i.e. on these decisions).

7.6 The Provincial Board, may cancel membership, disestablish or disband any Metropolitan/Municipal Board, CPF, CPF Sub-Forum and any of its structures upon realizing that such a structure is functioning contrary to the directives or the Interim Regulations. The Provincial Board may overturn or reverse the decision of the Metropolitan/Municipal Board and or CPF in relation to cancel membership, disestablish or disband any forum, CPF Sub-Forum and any of its structures (i.e. on these decisions).

7.7 Members must endeavour to attend all meetings as directed by the CPF or as prescribed in this constitution.

7.8 The forum should be representative of the sub-forums.

7.9 No membership fee shall be payable.

7.10 Each member shall be bound by the provisions of this constitution and shall have all the rights given to it by this constitution and perform all of its obligations arising out of this constitution.

7.11 The forum shall have the right, by decision of the Executive Committee, to suspend or terminate the membership of any member, which has —

7.11.1 not complied with the provisions of this constitution; or

7.11.2 failed to attend, or send a representative, as the case may be, to three consecutive meetings of the members; or
7.11.3 failed to comply with the Inter Regulations or directives in terms of which the forum is established or any rules or policies of the forum.

7.12 A member shall cease to be a member immediately

7.12.1 in the case of a natural person on such member’s death;

7.12.2 in the case of a member, which is not a natural person, if such member is liquidated, wound up or placed under judicial management, whether provisionally or finally and whether compulsorily or voluntarily.

8. MANAGEMENT

8.1 The forum shall be managed by an Executive Committee, which shall be elected, and in the case of ex-officio members, co-opted, at the every third Annual General Meeting. The Executive Committee shall implement the broad policy directives passed by the members in a general meeting.

8.2 Elected members of the Executive Committee shall serve for three years. They may be re-elected or co-opted after the expiry of any three-year term. [What should this term be 2 or 3 years]

8.3 The Executive Committee shall comprise of

(a) a Chairperson,
(b) a Deputy Chairperson,
(c) a Secretary,
(e) a Deputy Secretary,
(f) a Treasurer
(g) an Administrator, who may be a member of the SAPS at the Station,
(h) six additional members. Each one of the six members will be allocated one of the following portfolios

Youth Desk Coordinator
Public Relations Officer,
Victim Empowerment Affairs
Project Coordinator
Criminal Justice System Coordinator
Schools Safety Coordinator.

[POSSIBLY CONSIDER WHICH OF THESE ARE ESSENTIAL (SHALL HAVE) AND WHICH OF THESE ARE COULD HAVE (SHOULD HAVE) IF THE NEED AND PEOPLE ARE AVAILABLE]

(i) The Station Commissioner shall be an ex officio member and shall appoint the following ex officio members to attend: Head of Crime Prevention, Head of Detectives, Head of Communications, Head of Crime Intelligence, Head of Client Service Centre.

8.4 The Executive Committee has the right to establish an ad-hoc committee to perform specific duties for a period and on conditions to be determined by the Executive Committee.

8.5 If an office bearer of the Executive Committee is absent without a valid apology for three consecutive meetings, the seat will automatically become vacant, and be filled by following the usual election procedure set out in this Constitution.

8.6 The Executive Committee has the right to co-opt persons to:

(a) serve on a committee for such a period as the committee may determine;
(b) attend a particular meeting of a committee, or
8.7 A person co-opted in terms of the above clause shall serve on the committee in question or attend meetings in an advisory capacity and shall not be entitled to vote.

8.8 The Executive Committee shall ensure that proper minutes and records of all meetings are kept.

8.9 The Executive Committee shall be responsible for the day-to-day running of the forum.

9. ELECTION OF EXECUTIVE COMMITTEE

9.1 The Executive Committee of the forum shall be elected at every third consecutive annual general meeting. [NEEDS TO BE CONSIDERED]

9.2 Nominations of candidates who stand for elections shall be requested in the election meeting.

9.3 Members attending the election meeting may also nominate from the floor by a show of hand on the day of the elections.

9.4 The elections shall be held on or before the 30 April of every third year.

Nominees shall be Individuals who reside or whose business is situated within the area of the station concerned or representatives of such other institutions or organisations that perform a social welfare function within the area of the station concerned on a permanent basis.

[WHAT ARE THE PRE-REQUISITES TO BE ELECTED.
THEY SHOULD BE REPRESENTITAVES FROM MEMBER ORGANISATIONS AS DISCUSSED BEFORE.
SHOULD SOMEBODY BE A MEMBER OF THE FOURUM FOR A PERIOD (6 MONTHS) BEFORE THEY MAY BE ELECTED TO AN OFFICE]

9.6 The Station Commissioner shall be the Election Officer.

9.7 The relevant Metropolitan/Municipal Community Police board may monitor the election process.

10. VOTING RIGHTS

10.1 Each member shall have one vote at all meetings. [DEFINE MEMBER]

10.2 In the event of a deadlock, the Chairperson will have a casting vote.

11. VOTING PROCEDURE

11.1 Voting in the general forum meetings shall be by a show of hands.

11.2 Voting during the election of the Executive committee of the forum shall be through secret ballot.

11.3 There shall wherever possible be three nominees for each top five executive members, each nominee must at least be seconded by one hand in order to qualify as a candidate.

11.4 Votes shall be counted and results be announced during the AGM.

11.5 There shall wherever possible be ten nominees for Six additional executive positions and each nominee must be seconded by one hand in order to qualify as a candidate.

11.6 The candidates with the highest votes will be voted into office.

11.7 The Station Commissioner in whose area the CPF falls, shall keep election process records and send the election results to the Metropolitan Municipal Board, Provincial Commissioner, and MEC.
11.8 Voting in the Executive Committee shall be by a show of hands.

12. MEETINGS

12.1 ANNUAL GENERAL MEETING (AGM)

CPF SUB-FORUMS

12.1.1 CPF Sub-Forums shall be established within the policing area of a Station. CPF Sub-Forums shall be established in terms of Regulation 3 of the Interim Regulations.

[DEFINE REQUIREMENTS FOR SUB-FOURUMS]

12.1.2 CPF Sub-Forums shall be established every third year at least during the last three months prior to the CPF Annual General Meeting as a build-up process.

12.1.3 An Annual General Meeting shall be called on or before the 30 of April of every year to, amongst other business:

(a) discuss the Annual Report presented by the Executive Committee;
(b) discuss and adopt resolutions on matters pertaining to the crime prevention objectives of the community;
(c) every third year, elect a executive Committee.

12.1.4 The community shall be notified of the date, time, venue and agenda of an AGM by public notice at the Police Station and/or Community Centre (and by other means where available) at least one month prior to the meeting: [NOTIFICATION TO MEMBERS AS THIS IS NOT A PUBLIC MEETING??]

12.1.5 The election meeting shall be attended by elected executives of each CPF sub-forum, current CPF Executive who shall all qualify to stand for elections.

12.2 SPECIAL CPF BROADER FORUM MEETINGS

12.2.1 The Executive Committee may instruct the Secretary to convene a special CPF broader forum meeting to discuss and rule on special matters.

12.2.2 The Secretary shall on written request from at least two thirds of the membership, call a special broader forum meeting to discuss and rule on issues stated clearly in writing by the members concerned. Notice of such a meeting shall be given to members at least fourteen days in advance.

12.3 CPF BROADER FORUM AND PUBLIC MEETINGS

12.3.1 The Executive Committee shall convene CPF broader forum meetings at least on a monthly basis.

12.3.2 The Executive Committee should apart from its ordinary broader forum meetings convene CPF mass meetings on half yearly basis open to the general public, These meetings may as well be organized as when it is required by the Executive but not less than twice a year.

12.4 EXECUTIVE COMMITTEE MEETINGS

12.4.1 The Executive Committee of the Station CPF and CPF sub forums shall convene monthly meetings. In addition, they may convene meetings as and when they deem it necessary.

13. QUORUM

13.1 ANNUAL GENERAL MEETINGS AND BROADER FORUMS

13.1.1 At least 50% plus (1) of all sub forums of the forum shall be present at an annual general meeting or broader forum meeting to constitute a quorum.
13.1.2 If a quorum is not attained at the convening of a scheduled annual general meeting or broader forum, the meeting shall adjourn for at least thirty minutes, where after if the quorum is still not attained, the meeting shall be re-scheduled to a date not exceeding fourteen (14) day later.

13.1.3 The notice of the re-scheduled meeting shall be issued by the Secretary of the Executive Committee within five (5) days from the date of the adjourned meeting.

13.1.4 At the re-scheduled meeting, if a quorum is present, the meeting shall continue provided a record of the Notice of the re-scheduled meeting is presented by the Secretary and confirmed by the members present.

13.2 EXECUTIVE COMMITTEE MEETINGS

13.2.1 At least 50% plus on (1) of the Executive Committee members present at an Executive Committee meeting of the CPF and Sub forum shall constitute a quorum.

13.2.2 If a quorum is not attained at the convening of a scheduled Executive Committee meeting, the meeting shall adjourn for at least thirty minutes, where after if the quorum is still not attained, the meeting shall be re-scheduled to a date not exceeding fourteen (14) days later.

13.2.3 The Notice of the re-scheduled shall be issued by the Secretary of the Executive Committee within five (5) days from the date of the adjourned meeting.

13.2.4 At the re-scheduled meeting, if no quorum is present, the meeting shall continue provided a record of the Notice of the re-scheduled meeting is presented by the Secretary and confirmed by the executive members present.

14. CLUSTER MEETINGS AND CLUSTER REPRESENTATION AT METROPOLITAN/MUNICIPAL COMMUNITY POLICE BOARD

14.1 Within 10 days after the election of the Executive Committees of the various CPFs, the Commanding Officer of the accounting station of the cluster within which the forums fails, must call a cluster forum meeting for the purpose of obtaining nominations and the election of members to represent the cluster at the Metropolitan / Municipal Board.

14.2 The Commanding Officer of the accounting station of the cluster must provide each SAPS station and CPF falling within such cluster with at least five days of notice of the aforesaid cluster forum meeting.

14.3 The Commanding Officer of the accounting station of the duster shall be the EI Officer.

14.4 Members attending the election meeting may raise nominations by a show of hand from the floor.

14.5 Voting shall be by way of a show of hands.

14.6 There shall wherever possible be five nominees for the three representative positions at Metropolitan/Municipal Board level. Each nominee must at least be seconded by one hand in order to qualify as a candidate.

14.7 Votes shall be counted and results be announced during the cluster form meeting.

14.8 The Commanding Officer of the accounting station of the cluster shall keep election process records and send the election results to the Metropolitan/Municipal Board, the Provincial Commissioner and the NEC.

14.9 The Commanding Officer of the accounting station of the cluster may at any time, upon reasonable notice to the CPF's and each SAPS station falling within such cluster, call a cluster forum general meeting in order to discuss, communicate and coordinate SAPS and CPE interests, concerns, business or any other associated Issue.
15. **FINANCIAL ADMINISTRATION**

15.1 The Forum shall to the extent required comply with the provisions of the Public Finance Management Act I of 1999

15.2 The forum shall open and maintain a bank account in its name at a registered bank in which all funds received by the forum shall be deposited.

15.3 No person may keep funds received by the forum in his or her personal control.

15.4 Prior approval must be obtained from the Executive Committee for all expenditure.

15.5 Receipts must be obtained in relation to all expenditure and timelessly submitted to the Treasurer.

15.6 The Station Commissioner or his authorised representative shall at all times be a signatory to any expenditure by the forum.

15.7 An acceptable set of financial records shall be maintained by the designated person and shall be available to any member on request.

15.8 The Treasurer shall table a financial report at each monthly Executive Committee meeting and at the CPF broader forum meetings.

15.9 The year end financial statements of the forum shall be independent audited by the Auditor General or an Independent auditor and shall form part of the annual report.

15.10 No part of the Income or property of the forum shall be distributed to its members, and the same shall be applied solely towards the pursuit of the forum’s objectives, provided that this article shall not be construed as prohibiting the payment of expenses actually Incurred by members of the Executive Committee as provided for in this constitution.

15.11 If the forum Is wound up (whether voluntarily or compulsorily) or dissolved, the assets remaining after payment of the liabilities of the forum and the cost of winding up shall be given or transferred to one or more associations or institutions having objects similar to the main object of the Thrum, to be determined by the members of the Executive Committee at or before the time of Its winding up or dissolution or, falling such determination, by the Provincial Commissioner.

16. **DUTIES OF THE EXECUTIVE COMMITTEES**

16.1 To play a leading role in the promotion, development and implementation of community policing in the station area

16.2 To maintain efficient control over the forum and its members.

16.3 To appoint at its own discretion sub-committees, co-opt members to serve on these sub-committees, direct issues and allocate tasks to these sub committees

16.4 To ensure that the forum and its substructures adhere to policy.

17. **DUTIES OF OFFICE BEARERS**

17.1 Duties of the Chairperson

17.1.1 Ensure execution of all decisions of the Executive Committee

17.1.2 Preside Over meetings of the forum

17.1.3 Serve as a member of the Area Board and attend the Local Policing Coordinating Committee.

17.1.4 Report regularly on the functioning of the CPF to the Area Board and provide feedback from the Area Board to the CPF.

17.1.5 Present reports on the work of the forum at all meetings.
17.1.6 Supervise all work of the forum in conformity with this constitution, the relevant legislation, regulations and directives and procedures agreed upon by the forum.

17.1.7 Coordinate civilian oversight programmes.

17.1.8 Be responsible for communication.

17.2 Duties of the Deputy Chairperson

17.2.1 In the Chairperson absence, the Deputy Chairperson shall assume all functions of the Chairperson.

17.2.2 In the absence of both the Chairperson and the Deputy Chairperson at a meeting, the Executive Committee shall nominate one of their members to preside at such Meeting.

17.2.3 The Deputy Chairperson shall be responsible for the coordination of training and capacity building of building matters for CPF members.

17.2.4 Coordinate civilian oversight programmes.

17.3 Duties of the Secretary

17.3.1 Take and keep minutes In accordance with the provisions of this constitution.

17.3.2 Receive and dispatch Information and correspondence, to and from the forum.

17.3.3 Arrange all meetings.

17.4 Ensure the safekeeping of all official documents of the forum other than financial records.

Perform all other duties usually associated with the office of a Secretary.

Further the interest of the forum as Instructed by the Executive Committee

Duties of the Deputy Secretary

In the Se absence, the Deputy Secretary shall assume all functions of the Secretary.

17.4.2 Assist the secretary in dealing with queries and enquiries from the sub forums and the community.

17.5 Duties of the Treasurer

17.5.1 Be responsible for the finances of the forum and ensure strict compliance with the’ relevant laws and financial policies.

17.5.2 Together with another ‘ designated member of the forum and the Station Commissioner, operate a banking account on behalf of the forum.

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17.5.3 Keep books of account and other records necessary to clearly reflect the financial position of the forum, including its assets.

17.5.4 Table a financial report at every CPF general meeting, and an annual finance report and a budget at every annual general meeting

17.6 Duties of the Admin

17.6.1 Assist the Secretary in the execution of his/ her duties

17.6.2 Ensure within the Department the safekeeping of all official documents, financial records and assets of the CPF,
17.6.3 Perform such administrative functions as may be determined by the Executive Committee.

17.7 Duties of Additional Members

17.7.1 The additional members shall perform such functions not inconsistent with this Constitution as the Executive Committee may decide.

18. **AMENDMENT OF CONSTITUTION**

18.1 This constitution shall only be amended by the members in a general meeting; provided that -

18.1.1 notice in writing of such amendment shall have been given to the chairman of the executive committee not less than thirty days before the general meeting at which the amendment is to be considered;

18.1.2 the chairman of the executive committee shall notify each member in writing of any such proposed amendment not less than twenty-one days before that general meeting in the manner set out in 12;

18.1.3 the amendment is to be approved of by 75% or more of the members present and voting at such meeting.

18.2 To the extent that this constitution is not consistent with any law, legislation or directive this constitution shall be automatically rectified to the extent necessary.

19. **DISPUTE RESOLUTION**

Any dispute arising from or in connection with this constitution shall, if so requested by any party to the dispute, be finally resolved by the National Commissioner or his delegate/representative. Who may consult with the NEC and the Provincial Commissioner or his delegate/representative.