



**CONSTITUTION OF THE  
BOKSBURG NORTH  
COMMUNITY POLICE FORUM**

**January 2014**

## *Table of Contents*

1. INTRODUCTION .....	3
2. DEFINITIONS .....	3
3. OBJECTIVES .....	4
4. RESPONSIBILITIES .....	4
5. COMMUNITY PARTICIPATION .....	5
6. MEMBERSHIP .....	5
7. FUNCTIONS .....	5
8. COMPOSITION OF THE BOARD .....	6
9. ANNUAL GENERAL MEETING .....	6
10. TERMS OF OFFICE .....	6
11. ELECTION OF THE BOARD .....	7
12. ELECTION OF A BNCPF SECTOR EXECUTIVE COMMITTEE .....	8
13. SCHOOL MONITORING TEAMS .....	8
14. SECTOR BLOCK / STREET COMMITTEES .....	8
15. FUNCTIONING OF THE BOARD .....	9
16. LEGAL STATUS AND ASSETS OF THE BOARD .....	10
17. DUTIES OF OFFICE BEARERS .....	11
18. DECISION MAKING PROCEDURES .....	12
19. RECORD MANAGEMENT .....	12
20. MEETINGS OF THE BOARD .....	13
21. SPECIAL BOARD MEETINGS .....	13
22. COMMUNITY FORUM GENERAL AND PUBLIC MEETINGS .....	13
23. FINANCIAL ADMINISTRATION .....	14
24. NOTICE OF MEETINGS .....	14
25. QUORUM .....	14
26. CORRESPONDENCE .....	14
27. CODE OF CONDUCT AND DISCIPLINARY PROCEDURES .....	14
28. DISPUTE RESOLUTION .....	15
29. DISSOLUTION OF THE BOARD .....	15
30. AMENDMENTS TO THE CONSTITUTION .....	15
31. ELIGIBILITY TO BE IN THE BOARD .....	15
32. CODE OF CONDUCT .....	16
33. MISCONDUCT .....	16
34. DISCIPLINARY PROCEDURE .....	17
35. PENALTIES .....	17
36. APPROVAL OF THE CONSTITUTION .....	18



## 1. INTRODUCTION

The Boksburg North Community Police Forum is established in terms of the South African Police Service Act, Act 68 of 1995 (the principal Act), as amended, and the South African Police Service Interim Regulations of Community Police forums and Boksburg North Community Police Forum, 2001 (hereinafter referred to as the Interim Regulations, 2001), with the aim of ensuring effective liaison between the South African Police Service Boksburg North (SAPS) as envisaged by Section 18 of the Principal Act.

## 2. DEFINITIONS

Unless the general context requires otherwise, the following words shall bear the corresponding meanings assigned to them:

<b>“ACT”</b>	Shall mean the South African Police Service Act, Act 68 of 1995, as amended, read in conjunction with The Constitution of the Republic of South Africa, 1996;
<b>“MEC”</b>	Shall mean the Member of the Executive Council responsible for policing in the province;
<b>“Board (BNCPF)”</b>	Shall mean the Boksburg North Community Police Forum at Station Level;
<b>“BNCPF”</b>	Boksburg North Community Police Forum
<b>“Sector”</b>	shall mean a demarcated part of a policing precinct, into a smaller manageable, and in line with this the CPF has sector forums;
<b>“Youth Desk”</b>	The Youth Desk is a division of the Board;
<b>“Patrols”</b>	Patrols is a division of the Board;
<b>“Sector Managers”</b>	SAPS Sector Managers;
<b>“Sector Sub Form Boards”</b>	Shall mean the Board at Sector Level;
<b>“VEC”</b>	Shall mean the Victim Support Management Committee;
<b>“Constitution”</b>	Shall mean the BNCPF Constitution. Approved / adopted and / or amended during an Annual General Meeting or Special General Meeting of the Boksburg North Community Police Forum (BNCPF);
<b>“Sector Executive Committee”</b>	Shall mean the Sectors and Sub-Forum Committee Members elected at Annual General Meeting;
<b>“Executive Committee:</b>	Shall mean the Members elected into the Board;
<b>“Financial Year”</b>	Shall mean the annual period commencing on the 1 <sup>st</sup> of April until 31 <sup>st</sup> of March;



<b>“Interim Regulations”</b>	Shall mean the Interim Regulations of 2001 as promulgated in terms of The Act;
<b>NAME</b>	The Boksburg North Community Police Forum will officially be known as the Boksburg North Community Police Forum (BNCPF).

**3. OBJECTIVES**

The Objectives of the Boksburg North Community Police Forum are the following:

- 3.1 To establish, promote and maintain public participation and private partnership between the community and the SAPS.
- 3.2 To promote effective communication and co-operation between the SAPS and the Community in fulfilment of policing needs.
- 3.3 To improve the transparency and accountability of the SAPS to the Community.
- 3.4 Improve the rendering of services to the Community at local level.
- 3.5 Evaluate the provision of visible policing in the Sector area.
- 3.6 To ensure joint problem identification and resolution by the SAPS and the Community.
- 3.7 To support and develop projects which will improve the rendering of policing services to the Community at Cluster Community Police Forum and Station levels (CCPF).
- 3.8 To support and coordinate the programs of the Cluster Community Police Forum and Community Police Forum and Sub-Forums.
- 3.9 To consult with and advise the Cluster Community Police Forum or his / her delegates with regards to all matters pertaining to Community Policing.
- 3.10 Monitor the effectiveness and efficiency of the Police.
- 3.11 The BNCPF shall function within the principles contained in the Principal Act, Interim Regulations 2001 and any other regulatory framework mentioned in this Constitution.
- 3.12 To work hand-in-hand with both the Community and SAPS on any particular case of public interest.

**4. RESPONSIBILITIES**

The Community Police Forum's responsibilities are to:

- 4.1 Advise the SAPS regarding local policing priorities, jointly identify policing priorities for presentation to the MEC for Community Safety.
- 4.2 Facilitate in resolving 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 information analysis on policing on a quarterly basis and as when it is required.



- 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 CPF and Sub-Forums and engage them accordingly.
- 4.8 Ensure effective management of the Forum's resources.
- 4.9 Requesting enquiries into policing matters in the locality concerned.
- 4.10 Ensure the implementation of Sector Policing.
- 4.11 The monitoring of the provision of visible policing priorities, including:
  - 4.11.1 The provision and staffing of the Police Station.
  - 4.11.2 The reception and processing of complaints and charges.
  - 4.11.3 The prosecution of offenders.

**5. COMMUNITY PARTICIPATION**

- 5.1 All persons who live or work in the Boksburg North Station area may participate in the activities and attend Annual and General Meetings of the Community Police Forum.

**6. MEMBERSHIP**

- 6.1 Membership of the forum is open to all bona fide community-based organizations, faith-based organizations, non-governmental organisations, formal and informal business organisations and other social organizations which serve the Community and interested individuals with a good standing.
- 6.2 Organizations and individuals shall register for membership of the Boksburg North Community Police Forum by completing the membership application forms of the BNCPF.
- 6.3 Members must endeavour to attend all forum meetings.
- 6.4 The Sectors shall, as far as practically possible, be represented on the Board by two members. The Board, at its discretion, may co-opt additional members from the Sectors as required for their skills.
- 6.5 No membership fee shall be payable.

**7. FUNCTIONS**

The functions of the BNCPF are as follows:

- 7.1 To promote the accountability of the SAPS to communities and encourage cooperation between communities and the Police Service.
- 7.2 To advise the Cluster Community Police Forum and the Department of Community Safety regarding local policing priorities.
- 7.3 To report results of any evaluation regarding service delivery to the Community and relevant Managers within the service at Cluster Community Police Forum level.
- 7.4 To facilitate the resolution of concerns, problems and complaints from Cluster Community Police Forum.



- 7.5 To inform Cluster Community Police Forum about activities
- 7.6 To promote and monitor the effective management of the Sector Sub-Forums
- 7.7 To monitor and request reports on activities of the Cluster Community Police Forum and ensure the sharing of good practices.
- 7.8 To coordinate and support the implementation of Cluster Community Police Forum Safety Plans
- 7.9 To submit quarterly reports to the MEC and the Provincial Commissioner.

## **8. COMPOSITION OF THE BOARD**

- 8.1 The Board shall be managed by an Executive Committee which shall be elected, and in the case of Ex Officio Members, co-opted, at every fifth AGM.
- 8.2 Elected Members of the Board shall serve for five years. They may be re-elected or co-opted.
- 8.3 The Board shall consist of:
  - 8.3.1 Elected Members of the Sectors who reside in the BNCPF;
  - 8.3.2 Sector Managers, SAPS;
  - 8.3.3 The Board may whenever it is deemed necessary, co-opt any other person(s) to serve on the Board in an advisory capacity;
  - 8.3.4 During the AGM, the Board shall further elect an agreed number of Members to handle designated portfolios as may be determined by the Board;
  - 8.3.5 Heads of other SAPS units, other Government Departments and Local Government may be invited as-and-when it is deemed necessary by the Board.

## **9. ANNUAL GENERAL MEETING**

- 9.1 An Annual General Meeting shall be held each year within three months after the end of the financial year, with a view to approving the minutes of the preceding Annual General Meeting, the Certified Financial Report and to consider the keynote address of the Chairperson and the Annual Report of the Secretary.
- 9.2 The Secretary shall, in writing, give notice to all Members of an Annual General Meeting at least 30 (thirty) days prior to the date of the meeting.

## **10. TERMS OF OFFICE**

The term of office for the Board is determined as follows:

- 10.1 Elected Executive Members and Members of the Board – a period of five years.
- 10.2 Any Member of the Board who is absent with a valid excuse, shall be entitled to vote by proxy or may mandate another Member to vote on their behalf in writing.
- 10.3 If an office bearer of the Board is absent without a valid apology for three consecutive meetings, the Executive Committee Board has the right to co-opt persons to:
  - 10.3.1 Serve on a Committee for such a period as the Committee may determine;
  - 10.3.2 Attend a particular meeting of a Committee, or take part in the consideration by a Committee of a particular issue.



- 10.4 A person co-opted shall serve on the Committee in question or attend meetings in an advisory capacity and shall not be invited to vote.
- 10.5 The Board shall ensure that proper minutes and records of all meetings are kept.
- 10.6 The Board shall be responsible for the day-to-day running of the Forum

## 11. ELECTION OF THE BOARD

- 11.1 The Board shall elect an Executive Committee during its first meeting, assisted by Sector Manager and Board Chairperson; The Board will consist of two Members from each sector and additional Members may be co-opted at the discretion of the Board.
- 11.2 The Executive Committee of the Board shall comprise the following office bearers:
  - 11.2.1 Chairperson
  - 11.2.2 Deputy Chairperson
  - 11.2.3 Secretary
  - 11.2.4 Deputy Secretary
  - 11.2.5 Treasurer
  - 11.2.6 Patrol Officer
  - 11.2.7 Youth Desk Coordinator
  - 11.2.8 Five additional Members; each one of the five Members will be allocated one of the following portfolios:
    - 11.2.8.1 Public Relations Officer,
    - 11.2.8.2 Victim Empowerment Affairs,
    - 11.2.8.3 Project Coordinator,
    - 11.2.8.4 Criminal Justice System Coordinator,
    - 11.2.8.5 School Safety Officer.
  - 11.2.9 An Administrator, who may be a Member of SAPS, serving at the station.
  - 11.2.10 Ex Officio Members shall be:
    - 11.2.10.1 The Station Commander,
    - 11.2.10.2 Head of Crime Prevention,
    - 11.2.10.3 Head of Detectives,
    - 11.2.10.4 Head of Communications,
    - 11.2.10.5 Head of Crime Intelligence,
    - 11.2.10.6 Head of Client Service Centre.
  - 11.2.11 The electoral process for the Board shall, as far as possible, be sensitive towards gender representivity. In the event that the democratic process does not result in the adequate representation of both genders, the Board may co-opt Members to address such representation.



## **12. ELECTION OF A BNCPF SECTOR EXECUTIVE COMMITTEE**

- 12.1 The Executive of the Sector shall be elected at its fifth Annual General Meeting.
- 12.2 The Sector Managers shall request for nominations from member organizations, Street Committees, Sub-Forums and other interested parties, at least one month before the elections.
- 12.3 Written nominations for the Sector Executive shall close fourteen days before the elections.
- 12.4 The Sector structures shall be notified of the nominees for each position by public notice at the Police Station (and other means where available) at least 10 days before the election.
- 12.5 Members attending the election may also nominate from the floor by a show of hands on the day of the election.
- 12.6 The elections shall be held on or before 31 April of every fifth year.
- 12.7 Nominees should be Members of the bodies registered with the forum and be persons of good standing within the Community.
- 12.8 The Department of Safety and Security shall be the Election Officer.
- 12.9 The structure of the Sector Executive shall mirror that of the Board, excluding a Treasurer.

## **13. SCHOOL MONITORING TEAMS**

- 13.1 The School Monitoring Team should be as inclusive as possible and be established in consultation with the School Governing Body where applicable.
- 13.2 The Multi-Party School Monitoring Teams shall:
  - 13.2.1 Coordinate (social) crime prevention activities in schools and be accountable to the Board
  - 13.2.2 Assist the Police in gathering criminal information and criminal activities around schools.
  - 13.2.3 Play a major role in the coordination and implementation of School Safety Projects.
  - 13.2.4 Be accountable and report to the Board.

## **14. SECTOR BLOCK / STREET COMMITTEES**

- 14.1 The Sector Forums shall elect Block Committee Members comprising of five people. Voting for the Block Committees shall be by a show of hands.
- 14.2 Street / Block Committees shall comprise of the following Members:
  - 14.2.1 Chairperson
  - 14.2.2 Deputy Chairperson
  - 14.2.3 Secretary
  - 14.2.4 Deputy Secretary
  - 14.2.5 Member





## 15. FUNCTIONING OF THE BOARD

### 15.1 Administrative Support

The Board will have the power to manage and control the affairs of the BNCPF, including the power and authority to attend to any matter that could or might be attended to by the BNCPF, except where a matter is specifically reserved in this Constitution to be dealt with by a General Meeting of the Members of the BNCPF. A Sector Manager is appointed by the Station Commander to assist the Board in the administrative management of the BNCPF.

### 15.2 Committee Decisions

The Executive Committee shall report to the Board and the CPF on a monthly basis. The Board shall have the power to convene and Extra-Ordinary Elective AGM in the event that it has lost confidence in the Executive Committee. The Board will have the power to pass any resolution or take any decision that may be necessary or expedient in order to achieve the objects of the BNCPF, provided that the Board may not pass a resolution or take a decision that is inconsistent with this Constitution or in conflict with any resolutions or decisions of a General Meeting of the Forum taken prior to the date of the resolution or decision by the Board.

### 15.3 Establishment of Sub-Committees

The Board shall form or appoint Sub-Committees for designated portfolios as it may be determined, e.g. Youth, Community Patrollers, Victim Empowerment, Crime, etc.

### 15.4 Financial Management

The Board shall:

- 15.4.1 In each financial year, cause the accounting records of the BNCPF to be certified in accordance with generally accepted accounting practices and as a true reflection of the income, expenditure, assets and liabilities of the BNCPF by a duly appointed Accounting Officer (as contemplated in section 60 of the Close Corporation Act, 1984 (Act No 69 of 1984).
- 15.4.2 Appoint one or more persons, who need not be a Member(s) of the BNCPF, to take charge of and administer any funds of the BNCPF.
- 15.4.3 Institute, conduct, defend, oppose, settle or abandon any legal proceedings by and against the BNCPF, or otherwise concerning the affairs of the BNCPF and also to settle and allow time for payment in satisfaction of any debts due, and of any claims or demands by or against the BNCPF.
- 15.4.4 Invest, re-invest and deal with any moneys of the BNCPF, not immediately required for the purpose of the BNCPF, upon such securities and on such terms as it may deem fit, and from time-to-time to vary or realize such investments.
- 15.4.5 Sell, lease, alienate or otherwise dispose of part of the movable or immovable properties of the BNCPF, as it may think most beneficial to the BNCPF, and to apply the consideration arising there from as it may think most advantageous to the BNCPF.



- 15.4.6 Purchase, hire or take in exchange or otherwise acquire any movable or immovable property or rights for the BNCPF, and to sell, dispose of, turn to account or otherwise deal with all or any of the movable property or rights of the BNCPF.
- 15.4.7 Utilize the assets and funds of the BNCPF for the objectives of the BNCPF, as set out in this Constitution.
- 15.4.8 Carry out such functions as may be necessary for the proper functioning of the BNCPF.
- 15.4.9 The Boksburg North Station Board will be informed of all relations and actions by the BNCPF and fall under the direct supervision of the Boksburg North Station Board and Sector Manager.

15.5 Removal from office:

A Board Member shall cease to hold office as such if he or she:

- 15.5.1 Resigns from his / her office by notice in writing to the Board.
- 15.5.2 Is convicted of a criminal offence while in office.
- 15.5.3 Is absent from three (3) consecutive meetings of the Executive Committee without just or reasonable cause given to the Board.
- 15.5.4 The Board shall have the right to co-opt any Member of the BNCPF into the Board for a period not longer than 90 days to fill the vacancy (a special election shall be held within 90 days to fill the vacancy).
- 15.5.5 The Board may, at a meeting of the Board specifically convened for that purpose, remove any Executive Committee Member from office before the expiry of his / her term of office and elect another Member in his / her place.
- 15.5.6 The removal of a Board Member from office in terms of the above provision (15.5.5) shall be possible only if at least 75% of the Members of the Board vote in favour of it.

**16. LEGAL STATUS AND ASSETS OF THE BOARD**

- 16.1 The Board is part of the BNCPF.
- 16.2 The Board is not and will not be a juristic person and cannot act or be acted against in its own name.
- 16.3 The property and funds of the Board vest in the BNCPF as a juristic person and no Member of the Board will be liable for the debts of the Board.
- 16.4 All assets of the Board of whatsoever nature, will be applied solely towards the promotion of its objectives and no portion thereof shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise, to the Members of the Board. Provided that nothing herein contained shall prevent the payment in good faith of reasonable remuneration to any Member for any service actually rendered to the Board.
- 16.5 Any act or deed carried out by any Member of the BNCPF or the Board pursuant to any power being conferred to such Member by the Board shall, once the same has been carried out pursuant thereto, not be invalidated by any subsequent meeting or decision of the Board.



Provided that the Board in its sole and absolute discretion, is satisfied that any act or deed was not performed in a grossly negligent manner outside the power conferred upon such person or individual or body under the Constitution, or outside of such powers as have been determined by the Board, either in a meeting of the Board, Annual General Meeting or Special General Meeting.

## **17. DUTIES OF OFFICE BEARERS**

### **17.1 The Chairperson must:**

- 17.1.1 Preside over meetings of the Board.
- 17.1.2 Ensure the execution of all decisions of the Board and the BNCPF.
- 17.1.3 Represent the BNCPF as and when it is necessary.
- 17.1.4 Report regularly on the functioning of the Board to the Sector Manager and the BNCPF Chairperson and provide feedback and directives to the BNCPF.
- 17.1.5 Submit reports reflective of the activities or the work of the BNCPF.
- 17.1.6 Supervise all work of the BNCPF in conformity with the Constitution, the relevant legislation and procedures agreed upon by the Board.

### **17.2 The Deputy Chairperson must:**

- 17.2.1 In the absence of the Chairperson, act as the Chairperson.
- 17.2.2 The Deputy Chairperson shall, in conjunction with the Treasurer, ensure that the funds of the BNCPF are administered in accordance with the policy of the Board, prepare and circulate the Annual Report of the activities of the Board which shall include the Audited Finance Report.

### **17.3 The Secretary must:**

- 17.3.1 Take and compile the minutes in accordance with the provisions of this Constitution.
- 17.3.2 Receive and dispatch correspondence to and from the Board.
- 17.3.3 Arrange all meetings in accordance with the meeting's procedure.
- 17.3.4 Keep originals of letters received and copies of letters dispatched and correspondence.
- 17.3.5 Perform official administrative functions normally associated with the office of the Secretary.
- 17.3.6 Further the interests of the BNCPF as directed by the Board.

### **17.4 The Deputy Secretary must:**

- 17.4.1 In the absence of the Secretary, act as the Secretary.
- 17.4.2 Together with the PRO, develop and manage the public relations of the BNCPF.

### **17.5 The Treasurer must:**

- 17.5.1 Be responsible for the finances of the Board and ensure strict compliance with generally accepted accounting procedures.



- 17.5.2 Together with another designated Member of the Board, operate a banking account on behalf of the Board.
- 17.5.3 Keep books of account and other records necessary to clearly reflect the financial position of the Board.
- 17.5.4 Table a Financial Report at every General Meeting of the Board and Annual Financial Report and Budget at every Annual General Meeting.

17.6 The Public Relations Officer must:

- 17.6.1 Act as liaison between the Board and the media.
- 17.6.2 Promote cooperation between the Board, BNCPF and the Community.
- 17.6.3 Promote awareness of Community Policing.

17.7 The CPF Patrollers:

- 17.7.1 CPF Patrollers shall patrol in their specific areas to observe for suspicious activities, situations and problems in the area. Such findings must be reported to the Police via the RCO on duty. These CPF Patrollers are not to act as Police Members.
- 17.7.2 CPF Patrollers must report to their local Police Station to complete the Patrollers Book and get their OB Number prior to doing patrols.

17.8 The Youth Desk role:

- 17.8.1 The youth desk is a Crime Prevention Desk that deals with youth issues and assisting the youth to engage themselves with the Police on how to report crime.

17.9 The Victim Support Centre Role:

- 17.9.1 Ensure that victim empowerment receives the necessary attention at station level
- 17.9.2 Victim Support Centre should be a standing Agenda Item at Station and Sector CPF meetings.

**18. DECISION MAKING PROCEDURES**

- 18.1 Each Member of the Board shall be entitled to a single vote.
- 18.2 The Board shall as far as reasonably possible, reach decisions by consensus. If consensus cannot be achieved, the Board shall vote on the matter.
- 18.3 The Chairperson has a deliberative vote but must cast a deciding vote when there are an equal number of votes on each side of the question.
- 18.4 Voting during General Annual and Special Meetings will be by a show of hands.
- 18.5 Voting during the election of the Board will be by ballot paper. The ballot paper shall be drawn up by an Independent Electoral Body.

**19. RECORD MANAGEMENT**

The Secretary shall cause:

- 19.1 A record to be kept of the Members of the Board present at any meeting and minutes to be kept of all resolutions and proceedings at such meeting.



- 19.2 Minutes to be kept of all resolutions taken by the Board which must be adopted by the Board, prior to the signatures of the Chairperson and Secretary, and shall be prima facie evidence of the matters therein stated.
- 19.3 A resolution, in writing, which is signed by all the Members of the Board and inserted in the minute book of the Board Committee, shall be as valid and effective as if passed at a meeting of the Board. Any such resolution may consist of several documents in the same form, each of which is signed by one or more of the Members of the Board and shall be deemed (unless the contrary appears from the resolution) to have been passed on the date it was signed by the last Member of the Board entitled to sign it.

## **20. MEETINGS OF THE BOARD**

- 20.1 The Board shall meet at least once per month.
- 20.2 The Board shall meet once each quarter or as determined by the Board.
- 20.3 The Board shall determine its own procedures and shall conduct its meetings with equality of opportunity and fairness.
- 20.4 The Members of the Executive Committee and Boksburg North CPF must attend the Board Meetings.
- 20.5 Apart from the persons mentioned at sub-paragraph 20.4 above, the Board may extend invitations to any internal or external role player to attend the Annual General Meeting.
- 20.6 Minutes and other documents of meetings must be distributed within 7 (seven) working days after receipt and approval.
- 20.7 Year planner with all meetings should be circulated to all Members of the Board.
- 20.8 The Chairperson of the Board shall convene a Special Board Meeting when requested by at least 50% of the Membership of the Board and the notice for such meeting must include an Agenda indicating the items to be discussed.

## **21. SPECIAL BOARD MEETINGS**

- 21.1 The Board may instruct the Secretary to convene a Special General Meeting to discuss and rule on special matters.
- 21.2 The Secretary shall, on written request from at least two-thirds of the Membership, call a Special General Meeting to discuss and rule on issues stated clearly in writing by Members concerned. Notice of such a meeting shall be given to Members at least 24 hours in advance.

## **22. COMMUNITY FORUM GENERAL AND PUBLIC MEETINGS**

- 22.1 The Board shall convene BNCPF meetings at least on a quarterly basis open to the general public.
- 22.2 The Board shall, apart from its Ordinary General Meetings, convene BNCPF mass meetings on a half-yearly basis open to the general public. These meetings may be organized as-and-when it is required by the Board.



## **23. FINANCIAL ADMINISTRATION**

- 23.1 Only the Board shall open and maintain a bank account in its name at a registered bank, on behalf of the BNCPF, into which all funds received by the BNCPF shall be deposited.
- 23.2 All community funding collected by the BNCPF shall remain with the Board and may not be used by any other person and / or institution.
- 23.3 No person may keep funds received by the Board in his or her personal control.
- 23.4 Prior approval must be obtained from the Board for all expenditure.
- 23.5 Receipts must be obtained from the expenditure and timeously submitted to the Treasurer.
- 23.6 The Station Commander shall at all times be a signatory to any financial transaction.
- 23.7 Two signatures shall be required at all times for any money withdrawals, ie. The Treasurer / Chairperson or Treasurer / Deputy Chairperson.
- 23.8 An acceptable set of financial records shall be maintained by the designated person and shall be available to any Member on request.
- 23.9 The Treasurer shall table a Financial Report at each Monthly Board Meeting.
- 23.10 The Year-End Financial Statements of the Board shall be independently audited and shall form part of the Annual Report.

## **24. NOTICE OF MEETINGS**

- 24.1 The Secretary shall, in writing, give notice to all Members of the Board at least 7 (seven) days prior to the date of the meeting concerned.
- 24.2 The secretary shall, in writing, give notice to all Members of a Special General Meeting at least 30 days prior to the date of the meeting. The notice shall include the agenda for such special meeting and the purpose.

## **25. QUORUM**

- 25.1 During all meetings of the Board, a quorum will be constituted by the presence of 50% of the Members of the Board, plus one.
- 25.2 Should the Board Members present at a meeting not form a quorum, the meeting shall be adjourned and reconvened within 7 (seven) days.

## **26. CORRESPONDENCE**

- 26.1 All documents and correspondence on behalf of the Board shall be signed by the Secretary or Deputy Secretary or a person duly authorised by the Board.
- 26.2 Notwithstanding the diversity of languages in the Republic of South Africa, English shall be the medium of communication.

## **27. CODE OF CONDUCT AND DISCIPLINARY PROCEDURES**

- 27.1 The BNCPF Members shall adhere to the code of conduct of the Board.
- 27.2 All BNCPF Members shall undergo a security clearance which shall be carried out by the Local Criminal Records Centre (LCRC).



## **28. DISPUTE RESOLUTION**

28.1 The resolution of disputes relating to the BNCPF, which cannot be resolved by the Sector Manager in consultation with the Board Chairperson, shall be dealt with in terms of paragraph 14 (3) of the Interim Regulations, 2001.

## **29. DISSOLUTION OF THE BOARD**

29.1 The Station Commander may, subject to the directions of the Board Chairperson, dissolve the Board, with reasons, and put in place an Interim Statutory Structure. A special AGM must then be convened within 90 days to elect a new Board.

29.2 In the event of the Board being dissolved in terms of clause 29.1 above, the Statutory Interim Structure shall manage the assets and liabilities of the Board.

29.3 The Sector Manager may, subject to the directions of the Board, dissolve a Sector Sub-Forum Board, with reasons, and put in place an Interim Statutory Structure. A special AGM must then be convened within 90 days to elect a new Board.

## **30. AMENDMENTS TO THE CONSTITUTION**

30.1 The Constitution of the BNCPF can only be amended during an Annual General Meeting or Special General Meeting with permission from the Board.

30.2 Intention to amend the Constitution, as well as the proposed amendments, must be circulated to all Members of the Board at least 21 days prior to the meeting.

30.3 The Constitution can only be amended by a two-thirds majority of the required quorum for an AGM.

## **31. ELIGIBILITY TO BE IN THE BOARD**

31.1 All BNCPF Members in good standing, and not specifically excluded in terms of this Constitution, shall be eligible to be voted to the Board.

31.2 The following persons shall not hold elected positions on the Board:

31.2.1 Serving employees of Law Enforcement Agencies and the security services of the Republic listed at section 199(1) of the Constitution of the Republic of South Africa, 1996, including, the South African Police Service, the South African National Defence Force, the National Intelligence Agency, the Metropolitan Police Departments, the Traffic Police Departments and the Department of Correctional Services.

31.2.2 South African Police Service Reservists.

31.2.3 Persons with a criminal record.

31.2.4 Owners and employees of private security companies and / or service providers.

31.2.5 Persons who are not citizens of the Republic of South Africa.

31.2.6 Persons under the age of 18 years.

31.2.7 Persons holding political positions and responsibilities in Public Office.

31.2.8 Employees of the Provincial Secretariat for the Police Service who are responsible for police oversight.



## **32. CODE OF CONDUCT**

- 32.1 Members of the BNCPF and its structures shall not promote any party politics when dealing with BNCPF matters.
- 32.2 Members of the BNCPF and its structures shall not use any abusive language or make sexist or racist remarks.
- 32.3 No BNCPF Member shall utilize the BNCPF or SAPS logo / emblem for personal or private gain.
- 32.4 Members of the SAPS working with the BNCPF shall behave and act in a manner that promote Community Police Relations and, if such Members are expected to carry out duties which will enable the BNCPF to perform its function, do so without fail.
- 32.5 Members of the BNCPF shall agree to have their fingerprints taken for the purpose of security clearance.
- 32.6 Members of the BNCPF must declare any conflict of interest and shall not participate in matters where there is a conflict of interest.
- 32.7 Members must behave in a diplomatic, professional, controlled and dignified manner when dealing with each other and with the general public.
- 32.8 BNCPF Members and Members of the Service shall not be actively involved in BNCPF and BNCPF matters whilst under the influence of liquor, drugs and all other illegal intoxicating substances.
- 32.9 Members of the BNCPF and Service shall not abuse their positions to bring the BNCPF and its Sub-Structures into disrepute.
- 32.10 Any Member who contravenes the Code of Conduct and BNCPF Constitution shall be dealt with in accordance with the Disciplinary Process referred to in annexure C and may be suspended pending a disciplinary hearing.

## **33. MISCONDUCT**

- 33.1 Misuse of property belonging to the BNCPF.
- 33.2 Disclosing confidential information of the BNCPF to the public, individuals or institutions without the prior written consent of the Executive.
- 33.3 Refusal to carry out instructions of the BNCPF or any office bearer acting on behalf of the BNCPF.
- 33.4 Drinking liquor and being under the influence of liquor or any intoxicating substance whilst performing duties of the BNCPF.
- 33.5 Acting in a manner that exposes the BNCPF Members to a dangerous environment and or criminals.
- 33.6 Intentionally disregarding the Constitution and direction provided by Leadership of the BNCPF.
- 33.7 Sabotaging activities of the BNCPF.
- 33.8 Theft, fraud, insults or use of inappropriate language against Members of the BNCPF and the Community.





- 33.9 Refusal to execute tasks enabling the BNCPF to function efficiently and effectively.
- 33.10 Acting in a manner that disrupts the activities, programs and projects of the BNCPF.
- 33.11 Acting in any manner that brings the BNCPF to disrepute.
- 33.12 Using the BNCPF to advance personal political interests.

#### **34. DISCIPLINARY PROCEDURE**

- 34.1 A Disciplinary Committee shall be established to address a reported misconduct.
- 34.2 The accused person shall be afforded a fair hearing by being informed of charges against him / her and be afforded an opportunity to state his / her case and appoint a representative of his own choice within the BNCPF.
- 34.3 Outside or external legal representation shall not be allowed whilst the matter is being dealt with internally by the BNCPF.
- 34.4 A Disciplinary Committee will consist of two Executive Committee Members, one SAPS Member, and one Member of the Forum who does not serve on the Executive Committee.
- 34.5 The Disciplinary Committee may hear and decide on the matter or refer the matter to the higher level if it is of the view that the matter is beyond its jurisdiction.
- 34.6 The Disciplinary Committee may take the following decisions:
  - 34.6.1 Reprimand the accused person/s,
  - 34.6.2 Suspend the accused person/s,
  - 34.6.3 Expel the accused person/s or order any of the penalties as stipulated under the penalties clause.
- 34.7 The accused person has the right to appeal to the next / higher level structure, and shall file a Notice of Appeal within 5 (five) days after judgment.
- 34.8 The disciplinary hearing can take place in the absence of the accused person in the event that the Disciplinary Committee is satisfied that the accused person was properly informed and no valid excuse for the absence was tendered.
- 34.9 Should a Member of the SAPS commit any misconduct, the matter shall be dealt with through SAPS disciplinary procedure and the relevant Station Commander or Provincial Commissioner shall institute such an action.

#### **35. PENALTIES**

- 35.1 Warning (Verbal or Written)
- 35.2 Suspension
- 35.3 Expulsion
- 35.4 Refund or Payback (in cases of theft or fraud)
- 35.5 Laying of a criminal charge/s against the accused Member
- 35.6 Instituting a civil claim against the accused Member
- 35.7 Some of the penalties may be imposed simultaneously



**36. APPROVAL OF THE CONSTITUTION**

The Constitution is duly adopted at Boksburg North on this, the

\_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
**CHAIRPERSON OF THE BOARD**  
**Boksburg North**

\_\_\_\_\_  
**STATION COMMANDER**  
**Boksburg North**

\_\_\_\_\_  
**WITNESS 1**  
**(COMMUNITY SAFETY)**

\_\_\_\_\_  
**WITNESS 2**  
**(SECTOR MANAGER)**