

**CONSTITUTION OF THE
LYTTELTON SECTOR 1 POLICE COMMUNITY SUB-FORUM**

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CONSTITUTION OF THE LYTTELTON SECTOR 1 POLICE COMMUNITY SUB-FORUM

1 DEFINITIONS

In this Constitution, unless the context otherwise indicates:

- 1.1 Act - shall mean the South African Police Service Act, Act 68 of 1995, as amended from time to time.
- 1.2 Area of Responsibility – shall mean LYTTELTON SECTOR 1 as indicated on the map attached hereto as Enclosure 1
- 1.3 Cluster Community Police Board (CCPB) – Replacement of the Area CPB in terms of provisions of section 18-23 of the South African Police Service Act, Act 68 of 1995, as amended from time to time;
- 1.4 Constitution - shall mean this document and all the enclosures hereto
- 1.5 Community Police Forum (CPF) shall mean a CPF established in terms of the Interim Regulations.
- 1.6 Community Police Sub-Forum (CPSF) shall mean a Community Police Sub-Forum established in terms of the Interim Regulations.
- 1.7 Days – shall mean calendar days;
- 1.8 Executive Committee - shall mean the committee elected by the members and which is responsible for the day to day running of the affairs of the LS1 CPSF;
- 1.9 Interim Regulations - shall mean the South African Police Service Interim Regulations for Community Police Forums and Community Police Sub-Forums, 2001 promulgated by the Minister

of Safety and Security in terms of the South African Police Service Act, Act 68 of 1995, as amended from time to time;

- 1.10 Sector - shall mean the geographical area within a police station area determined in accordance with the National Instruction – Sector Policing;
- 1.11 Sector Policing - shall mean policing that focuses on small manageable sectors of a police station area;
- 1.12 Sector Profile - shall mean a planning tool that is used to provide policing direction to the sector in identifying the needs, concerns, perceptions and abilities of a community within a sector and crime related aspects.
- 1.13 Sub Sector (SS) - shall mean sub areas within the area of responsibility and as indicated on the map attached hereto as Enclosure 1.

2 **NAME**

- 2.1 The organisation will officially be known as the Lyttelton Sector 1 Community Police Sub-Forum, hereafter referred to as the LS1 CPSF.
- 2.2 The official abbreviation will be 'LS1 CPSF'.
- 2.3 The official insignia will be the emblem included in Enclosure 3.

3 **LEGAL NATURE - STATUS AND ASSETS**

- 3.1 LS1 CPSF is a distinct and separate legal entity with the power to acquire, to hold and to alienate property of every description whatsoever and with the capacity to acquire rights and obligations and having perpetual succession.
- 3.2 LS1 CPSF is a juristic person and can act and be acted against in its own name.
- 3.3 LS1 CPSF–

- 3.3.1 Exists in its own right, separately from its members;
- 3.3.2 Continue to exist even when its membership and office bearers change;
and
- 3.3.3 is able to contract in its own name;
- 3.3.4 Is inter dependant and sub-ordinate to the Lyttelton CPF and will be represented by the Chairperson and or delegate(s) on the Lyttelton CPF.
- 3.4 Property and funds of LS1 CPSF vest in LS1 CPSF as a juristic person.
- 3.5 All assets of LS1 CPSF of whatsoever nature will be applied solely towards the promotion of its objects, and no portion thereof shall be paid to the members of LS1 CPSF; provided that nothing herein contained shall prevent the payment in good faith of reasonable remuneration to any person for any service rendered to LS1 CPSF in accordance to the approved budget.
- 3.6 It is agreed that any act or deed carried out by any member or committee of LS1 CPSF pursuant to any power conferred by the LS1 CPSF upon such a committee or person shall, once the same has been carried out pursuant thereto, not be invalidated by any subsequent meeting or decision of LS1 CPSF provided that LS1 CPSF in his sole and absolute discretion, is satisfied that any act or deed was not performed:
 - 3.6.1 In a grossly negligent manner;
 - 3.6.2 Outside the power conferred upon such committee or person;
- 3.7 No member of LS1 CPSF shall be liable in any way for any loss or damage that may be suffered by LS1 CPSF through any act or omission of:
 - 3.7.1 that member; or
 - 3.7.2 any other member of LS1 CPSF; or
 - 3.7.3 by LS1 CPSF; or
 - 3.7.4 any of its servants or agents in the execution of any duty.
- 3.8 No member shall have the right to or interest in any of the property or funds of LS1 CPSF.
- 3.9 The registered address of LS1 CPSF shall be as determined by LS1 CPSF from time to time.

4 **AIM**

- 4.1 Establish and maintain an area of responsibility "...where households, businesses and communities enjoy a high quality of life because they live, work and travel in a law-governed society free from fear, violence and crime."¹

5 **OBJECTIVES**

- 5.1 LS1 CPSF shall liaise with the SAPS, with the CPF and neighbouring CPSF's with a view to:
- 5.1.1 Establish and maintain a partnership between the community and the SAPS;
 - 5.1.2 Promote communication between the SAPS and the community;
 - 5.1.3 Promote co-operation between SAPS and the community in fulfilling the needs of the community regarding policing;
 - 5.1.4 Improve the rendering of policing services to the community at national, provincial, cluster and station levels;
 - 5.1.5 Improve the transparency in the SAPS and the accountability of the SAPS to the community; and
 - 5.1.6 Promote joint problem identification and problem-solving by the SAPS and the community;
 - 5.1.7 Support and develop community policing and promote constructive community-police liaison;
 - 5.1.8 Ensure that difficulties which cannot be resolved, are referred to higher authority as may be appropriate;
 - 5.1.9 Support and coordinate the activities and endeavours of Lyttelton Community Policing Forum within the Sector;
 - 5.1.10 Support the implementation and execution of the National Victim Empowerment Policy which is intended to achieve a society in which the rights and needs of victims of crime and violence are acknowledged and effectively addressed within the justice framework;

¹ The Gauteng Safety Strategy, Gauteng Provincial Government, 2006 - 2014

- 5.1.11 Promote and support the implementation of all appropriate Criminal Justice System initiatives and or objectives applicable on the CPSF managed on various levels inclusive of:
- 5.1.12 Promote and support the implementation of the appropriate Gauteng SAPS Strategic Plan objectives;
- 5.1.13 Promote and support the implementation of the appropriate Gauteng Department of Community Safety Strategic Plan objectives;
- 5.1.14 Promote and support the implementation of the appropriate Gauteng CPB Community Safety Plan objectives;
- 5.1.15 Promote and support the implementation of the appropriate Sunnyside Cluster Community Police Board objectives;
- 5.1.16 Promote and support the implementation of the appropriate Lyttelton Community Police Forum objectives;
- 5.1.17 Promote, establish and sustain public participation and private public partnerships;
- 5.1.18 Manage a safety plan for the area of responsibility inclusive of disaster management;
- 5.1.19 Manage and or participate in neighbourhood initiatives to safeguard the area in which they live, work and play;
- 5.1.20 Take ownership of community policing and support the SAPS in the enforcement of the law;
- 5.1.21 Liaise community safety initiatives within the area of responsibility;
- 5.1.22 Make recommendations to the CPF in order to co-ordinate and support the implementation of CPF and or Cluster Community Safety Plans;
- 5.1.23 Identify, manage and promote appropriate policy and development/ amendments to acts/ordinances to accommodate and or support the objectives of the CPSF.
- 5.1.24 Establish and maintain a strategic planning process to evaluate successes, achievements, performance of all participative roll players ito agreed standards, progress of plan implementation as well as a frequent environmental analysis.

5.1.25 The CPSF shall function within the legal, policy and regulatory framework provided in Enclosure 2.

6 FUNCTIONS

6.1 LS1 CPSF shall perform the functions it deems necessary and appropriate to achieve its objectives and in particular to:

6.1.1 Promote the accountability of the SAPS to the local community and the cooperation of the community with the SAPS;

6.1.2 Oversee efficient functioning of the CPF and direct communication towards the Cluster Board where the CPF is not addressing malfunctioning;

6.1.3 Advise the Sector Commander regarding local policing priorities;

6.1.4 Report the result of any evaluation within the area of responsibility regarding inefficient service delivery to the CPF/LS1 CPSF and to the relevant managers within the Service at station level;

6.1.5 Facilitate the resolution of concerns, problems and complaints from community members;

6.1.6 Harmonise the relationship between the police, other role players and the communities;

6.1.7 Request the Sector Commander to provide crime information analyses on policing on a quarterly basis and as when it is required;

6.1.8 Obtain regular feedback from the community about the quality of police service delivery;

6.1.9 Encourage and support community based crime prevention projects;

6.1.10 Inform the community about the activities of the CPF and engage them in these activities;

6.1.11 Manage the implementation of sector community safety plans;

6.1.12 Integrate and manage community directed safety initiatives on community level within the area of responsibility;

6.1.13 Promote the Operational functions of the Community Safety Structures:

- 6.1.13.1 Training and or empowerment of community members into the under mentioned par 6.1.13.2 to 6.1.13.9;
- 6.1.13.2 Eyes and ears of the SAPS;
- 6.1.13.3 If the need arises, carry out a citizen's arrest in terms of the Criminal Procedure Act, 1977 (Act No 68 of 1977), section 42;
- 6.1.13.4 Performing patrol duties that will serve as a crime deterrent;
- 6.1.13.5 Preserving crime scenes when first on the scene;
- 6.1.13.6 Facilitating good relations in the neighbourhood;
- 6.1.13.7 Rendering a voluntary service;
- 6.1.13.8 Reporting crime and crime in progress to the SAPS;
- 6.1.13.9 Creating crime prevention awareness amongst the community
- 6.1.14 Manage the following limitations on the powers of the Community Safety Structures:
 - 6.1.14.1 No promoting of political agendas/ interests;
 - 6.1.14.2 No promoting, marketing or selling of security equipment/ services
 - 6.1.14.3 Cannot request or enforce registration-/ membership fees;
 - 6.1.14.4 Cannot act as a police official;
 - 6.1.14.5 Cannot participate in crime prevention operations with the SAPS (e.g. "Stop and search", roadblocks, etc);
 - 6.1.14.6 Cannot wear or use the SAPS insignia in any way on a person or private vehicle;
 - 6.1.14.7 May not use any rotating/reflecting light of any colour on a private vehicle for the purpose of visibility during patrols;
 - 6.1.14.8 A community police forum, sub-forum or board has no power of command and control over the Service or any member thereof:
 - 6.1.14.9 No member of such a forum or board may:
 - 6.1.14.9.1 Wear any insignia or identification mark in respect of any political/labour (as appropriate) - party, organization, movement or body while attending a meeting of a CPF, sub-forum or board;

- 6.1.14.9.2 Utilize his or her membership of a CPF, sub-forum or board for political interests;
 - 6.1.14.9.3 Not entitled to have access to police registers or files without approval;
 - 6.1.14.9.4 May only use property belonging to or under the control of the Service with the prior written approval;
 - 6.1.14.9.5 The Service is not obliged to provide office accommodation;
 - 6.1.14.9.6 No equipment or SAPS store items may be issued to a member of a Community Police Forum, Sub- Forum or Board;
 - 6.1.14.9.7 No such member may be allowed to utilize a police vehicle;
 - 6.1.14.9.8 May not establish itself as a section 21 company.
- 6.2 Although the LS1 CPSF recognizes its inter-dependability with both the SAPS, the Department of Community Safety and CPF, it shall fulfil its functions in an objective and independent manner.

7 POWERS

- 7.1 LS1 CPSF shall have all the powers necessary to enable it to achieve its objectives and to fulfil its responsibilities within the sector as allowed in terms of the South African Legislation.
- 7.2 LS1 CPSF shall in particular have the following powers –
 - 7.2.1 To appoint officers and employees to assist in the performance of its functions and to dismiss any of them;
 - 7.2.2 To establish committees to manage specific focus areas;
 - 7.2.3 To open, operate or close bank accounts in the name of LS1 CPSF;

8 COMPOSITION OF LS1 CPSF COMMITTEE

- 8.1 LS1 CPSF Committee shall consist of at least the following, but not limited to:
 - 8.1.1 Chairperson;
 - 8.1.2 Vice Chairperson;
 - 8.1.3 Treasurer;

- 8.1.4 Secretary;
- 8.1.5 Public Relations Officer.
- 8.2 Each sub-sector may have an executive on the LS1 CPSF committee representing his/her sub-sector. It is however not compulsory that each sub-sector be represented on the LS1 CPSF committee;
- 8.3 The committee has the power to admit any person or body at its discretion as temporary member with no voting power for as long as they deems necessary.
- 8.4 The Station Commissioner/Commander and or member(s) designated by him or her as Ex Officio Members (no voting power).

9 MEMBERSHIP

- 9.1 Membership as a Community Member of LS1 CPSF is open to any person older than 18 years of age who:
 - 9.1.1 Resides within the Area of Responsibility; and or
 - 9.1.2 Is employed within the Area of Responsibility; and or
 - 9.1.3 Owns and/or conducts a business within the Area of Responsibility; and or
 - 9.1.4 Owns property within the Area of Responsibility.
- 9.2 A Community Member who qualifies in terms of the *supra* par 9.1 is eligible to be nominated and elected to any executive position within the LS1 CPSF.
- 9.3 Ex Officio Membership will have no voting power
- 9.4 Temporary Membership is restricted to the stipulations of this constitution for a specific time period with no voting power.
- 9.5 Co-opted persons will function in advisory capacity (no voting power).
- 9.6 No membership fee shall be payable.
- 9.7 Membership, representation and or co-optation are subordinate to the Code of Conduct (Enclosure 5), Disciplinary Proceedings (Enclosure 7), Misconduct (Enclosure 6) and Penalties (Enclosure 8).
- 9.8 Members and co-opted persons must endeavour to attend all meetings as directed by the LS1 CPSF or this constitution.

- 9.9 All RSA citizens and Foreigners with Permanent Residence/ Work Permits officially residing and or working in Sub-Sector area of responsibility, with a minimum age of 18 years, are eligible to vote for the Sub-Sector representatives. Each Sub-Sector delegated representative may cast a vote on CPSF level and each CPSF in the precinct may cast a vote on CPF level.

10 **TERM OF OFFICE**

- 10.1 Term of office in the CPSF is determined in respect of:
- 10.1.1 Elected Executive Committee Members – a period of three years (may be re-elected after the three year period in the same portfolio or another in the executive committee with the proviso restricted as a maximum of three terms in the same portfolio) in coordination and subjected to the CPF term of office;
- 10.1.2 Ex Officio Members – by the term of delegation in respect of:
- 10.1.3 Delegated SAPS Members - by SAPS Station Commissioner/Commander;
- 10.1.4 Temporary Members – as determined by the CPSF; and
- 10.1.5 Co-opted Persons – as determined by the CPSF.

11 **ELECTION OF THE EXECUTIVE COMMITTEE**

- 11.1 LS1 CPSF shall elect an Executive Committee during an Annual General Meeting or Special General Meeting from nominations received and circulated prior to the meeting.
- 11.2 The members referred to in sub-paragraph 8.1.1 *supra* shall from their number nominate and elect the following office bearers (subject to vetting):
- 11.2.1 Chairperson;
- 11.2.2 Vice Chairperson;
- 11.2.3 Secretary;
- 11.2.4 Treasurer;
- 11.2.5 Public Relations Officer;
- 11.2.6 Additional members will be optional and may consist of the following: -

- 11.2.6.1 Members which will be responsible to handle designated portfolios as may be determined by LS1 CPSF executive committee
- 11.2.6.2 Sub-sector leader for each sub-sector in the area of responsibility.
- 11.3 The Station Commissioner/Commander or Head Crime Prevention designated by him or her shall be the electoral officer.

12 FUNCTIONING OF THE EXECUTIVE COMMITTEE

- 12.1 The Executive Committee will have the power to manage and control the affairs of LS1 CPSF within the tasks and powers delegated by LS1 CPSF to the Executive Committee.
- 12.2 LS1 CPSF may at any general meeting repeal, approve or amend any decision of the Executive Committee, provided that no such decision by the LS1 CPSF will invalidate any *bona fide* action taken by the Executive Committee.
- 12.3 Without in any way limiting the powers and authority of the Executive Committee, the committee will have the following delegated powers and remain responsible to LS1 CPSF ito the following:
 - 12.3.1 to pass any resolution or take any decision, that may be necessary or expedient in order to achieve the objects of LS1 CPSF, 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 general meeting of LS1 CPSF pass or taken prior to the date of the resolution or decision by the Executive Committee;
 - 12.3.2 To recommend the appointment of committees for special or general purpose and to delegate to any such committee all or any of the power conferred on the Executive Committee by this constitution;
 - 12.3.3 at such intervals as the Executive Committee may require, but at least once in each financial year, to cause the accounting records of LS1 CPSF to be certified as in accordance with generally accepted accounting practices and as a true reflection of the income, expenditure, assets and liabilities of LS1 CPSF by a duly elected accounting officer;
 - 12.3.4 to, for specific purposes, recommend the appointment of one or more persons or an institution, who need not be members of the LS1 CPSF,

to take charge of and administer any funds of the LS1 CPSF, to determine the terms and conditions of the appointment, and to terminate any such appointment;

12.3.5 To institute, conduct, defend, oppose, settle or abandon any legal proceedings by and against the LS1 CPSF, or otherwise concerning the affairs of the LS1 CPSF;

12.3.6 To refer any claim or demand by or against LS1 CPSF for arbitration;

12.3.7 to recommend the investment, re-investment and dealing with any moneys of LS1 CPSF, not immediately required for the purpose of LS1 CPSF, upon such securities and on such terms as it may think fit, and from time to time to vary or realise such investments;

12.3.8 To utilise the assets and funds of LS1 CPSF for the objects of LS1 CPSF, as set out in this constitution .

12.4 The Chairman shall cause:

12.4.1 Record to be kept of the members of LS1 CPSF and or Executive Committee present at any meeting; and

12.4.2 Minutes to be kept of all resolutions taken as well as all proceedings at such meeting.

12.5 Minutes kept must be duly entered into media, records properly kept and provide when required. Any such minutes or any extract thereof, signed by the chairperson shall be *prima facie* evidence of the matters therein stated.

12.6 An Executive Committee member shall cease to hold office as such if he or she:

12.6.1 Resigns ;

12.6.2 Is (or was) convicted of a criminal offence and or an offence which involves dishonesty;

12.6.3 Conducts his or her responsibilities in a *mala fide* manner;

12.6.4 Being 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

12.6.5 Otherwise ceases to be a member of LS1 CPSF.

- 12.7 LS1 CPSF may, by means of a resolution of the Executive Committee, remove any Executive Committee member before the expiry of his term of office and elect another Executive Committee member in that portfolio to hold office for the remainder of the term of office of the Executive Committee member so removed, providing that the intention to vote upon his removal from office was specified in the notice convening the meeting.

13 DUTIES OF OFFICE BEARERS

13.1 The Chairperson must:

- 13.1.1 Preside over meetings of LS1 CPSF;
- 13.1.2 Ensure execution of all decisions of LS1 CPSF and Executive Committee;
- 13.1.3 Represent LS1 CPSF at relevant CPF's and events;

13.2 The Vice Chairperson must:

- 13.2.1 In the absence of the Chairperson, act as the chairperson;
- 13.2.2 the appointed vice chairperson shall, in conjunction with the treasurer, ensure that the funds of the LS1 CPSF are administered in accordance with the policy of the LS1 CPSF, prepare and circulate the annual report of the activities of the LS1 CPSF which will include the audited financial report.

13.3 The Secretary must:

- 13.3.1 Take and compile the minutes in accordance with the provisions of this constitution;
- 13.3.2 Receive and dispatch correspondence to and from the LS1 CPSF;
- 13.3.3 Arrange all meetings in accordance with the meeting's procedure;
- 13.3.4 Keep originals of letters received and copies of letters dispatched and correspondence;

13.4 The Treasurer must:

- 13.4.1 Respond for the finances of the LS1 CPSF and ensure strict compliance with generally accepted accounting procedures;
- 13.4.2 Together with another designated member of the LS1 CPSF, operate a

- banking account on behalf of the LS1 CPSF;
- 13.4.3 Keep books of account and other records necessary to clearly reflect the financial position of the LS1 CPSF;
- 13.4.4 Table a financial report at every general meeting of the LS1 CPSF and annual financial report and budget at every annual general meeting.
- 13.5 The Public Relations Officer must:
 - 13.5.1 Act as liaison between the LS1 CPSF and the media;
 - 13.5.2 Promote co-operation between the LS1 CPSF, the community and the SAPS; and
 - 13.5.3 Promote awareness of community policing.

14 **DECISION MAKING PROCEDURES**

- 14.1 The members referred to in sub-paragraph 8.1.1 supra shall be entitled to a single vote each.
- 14.2 LS1 CPSF shall, as far as reasonably possible, reach decisions by consensus. If consensus cannot be achieved, the Executive Committee shall vote on the matter.
- 14.3 If the votes are tied, the chairperson shall have a casting vote in addition to his or her deliberative vote.
- 14.4 Voting during general meetings, Annual General Meetings and Special General Meetings will be by show of hands.
- 14.5 Voting during the election of the Executive Committee Members will be by ballot paper.
- 14.6 Nominations and voting procedures are described and included in Enclosures 4.

15 **MEETINGS**

- 15.1 All members of the Executive Committee shall meet at least once a month.
- 15.2 The community of LS1 CPSF shall at least once in 6 (six) months meet for a General Meeting. Notice of the General meeting will be advertised in the Sector, will be sent out via sms, e-mail, and or newsletter.

- 15.3 An Annual General Meeting shall be held each year with a view to approve 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.
- 15.4 Any member of LS1 CPSF may, with reasonable cause and on reasonable notice (par 16), request the Executive in writing with motivation to convene a Special General Meeting of LS1 CPSF. The Executive of LS1 CPSF is compelled within the time frame set in par 16 from their next Executive meeting schedule a Special General Meeting.

16 NOTICE OF MEETINGS

- 16.1 The secretary shall, in writing via e-mail, give notice to all members of Executive Committee meetings at least 3 working days prior to the date of the meeting concerned.
- 16.2 The secretary shall, in writing via e-mail, sms or newsletter, give notice to all members of an Annual General Meeting at least 14 calendar days prior to the date of the meeting.
- 16.3 The secretary shall, in writing via e-mail, sms or newsletter, give notice to all members of a Special General Meeting at least 14 calendar days prior to the date of the meeting.

17 QUORUM

- 17.1 During an Executive Committee meeting 5 members of which one must be the Chairperson or Vice Chairperson, need to be present to constitute a quorum. If a quorum cannot be achieved, the meeting will be postponed for a period as determined by the Executive Meeting with notification to all members and reconvene. The members attending at the reconvened meeting then will constitute a quorum.
- 17.2 During a general extended CPSF meeting or an annual general meeting or a special general meeting a quorum will be constituted by the presence of representative member(s) from at least 50% of the total number of sub sectors within the area of responsibility (i.e. if there are 10 sub sectors then at least one member from 5 different sub sectors need to be present).

18 **CORRESPONDENCE**

- 18.1 All documents and correspondence on behalf of the LS1 CPSF shall be signed / endorsed by the Chairperson or Vice Chairperson or Secretary or formal duly delegated person.
- 18.2 Although English shall be the common language used for communication, the language variety of the Republic of South Africa shall at all times be taken into consideration in correspondence, with a view to improve effective communication.

19 **CODE OF CONDUCT AND DISCIPLINARY PROCEEDINGS**

LS1 CPSF shall adopt a code of conduct and disciplinary proceedings which shall be applicable to all members of the LS1 CPSF (see Enclosure 5 - 8).

20 **DISPUTE RESOLUTION**

- 20.1 Issues arising at a community police sub-forum that cannot be resolved at that level must be referred (if it is an SAPS member involved) to the Station Commissioner/Commander and the Community Police Forum Executive.
- 20.2 Issues arising at a community police forum or referred to it (in terms of par 20.1) that cannot be resolved at that level within 30 days must be referred to the Cluster Commissioner/Commander and the Cluster Community Police Board.
- 20.3 Issues arising at a Cluster Community Police Board or referred to it and to the Cluster Commissioner/Commander (in terms of par 20.1 and or par 20.2), that cannot be resolved within 90 days at that level, must be referred to the Provincial Commissioner and Provincial Community Police Board.
- 20.4 If the Provincial Commissioner and Provincial Community Police Board cannot resolve an issue at that level within 90 days, it must be referred to the National Commissioner and the National Community Police CPB, who may, subject to the directions of the Minister, take such steps as may be reasonably necessary in order to resolve the issue.

21 **DISSOLUTION OF LS1 CPSF**

The Provincial Commissioner may, subject to the direction of the Member of the Executive Council, after having consulted with Cluster Community Police Board and the CPF, dissolve LS1 CPSF.

22 **AMENDMENTS TO THE CONSTITUTION**

- 22.1 The constitution of LS1 CPSF can only be amended during an Annual General Meeting or Special General Meeting scheduled for this purpose.
- 22.2 Intention to amend the constitution, as well as the proposed amendments, must be circulated via e-mail, to all members of LS1 CPSF at least 14 days prior to the meeting (par 22.1).
- 22.3 The constitution can only be amended by a two-thirds majority vote of members present at the Annual General Meeting or Special General Meeting.
- 22.4 To the extent that this Constitution is not consistent with any law, regulation or directive this Constitution shall be automatically amended to extent necessary.

23 **APPROVAL OF CONSTITUTION**

- 23.1 This Constitution is adopted at LS1 CPSF Annual General Meeting on 3 March 2011.

Date: ___ MARCH 2011 hosted at KERK SONDER MURE, ZWARTKOP,
CENTURION _____.

LS1 CPSF CHAIRPERSON

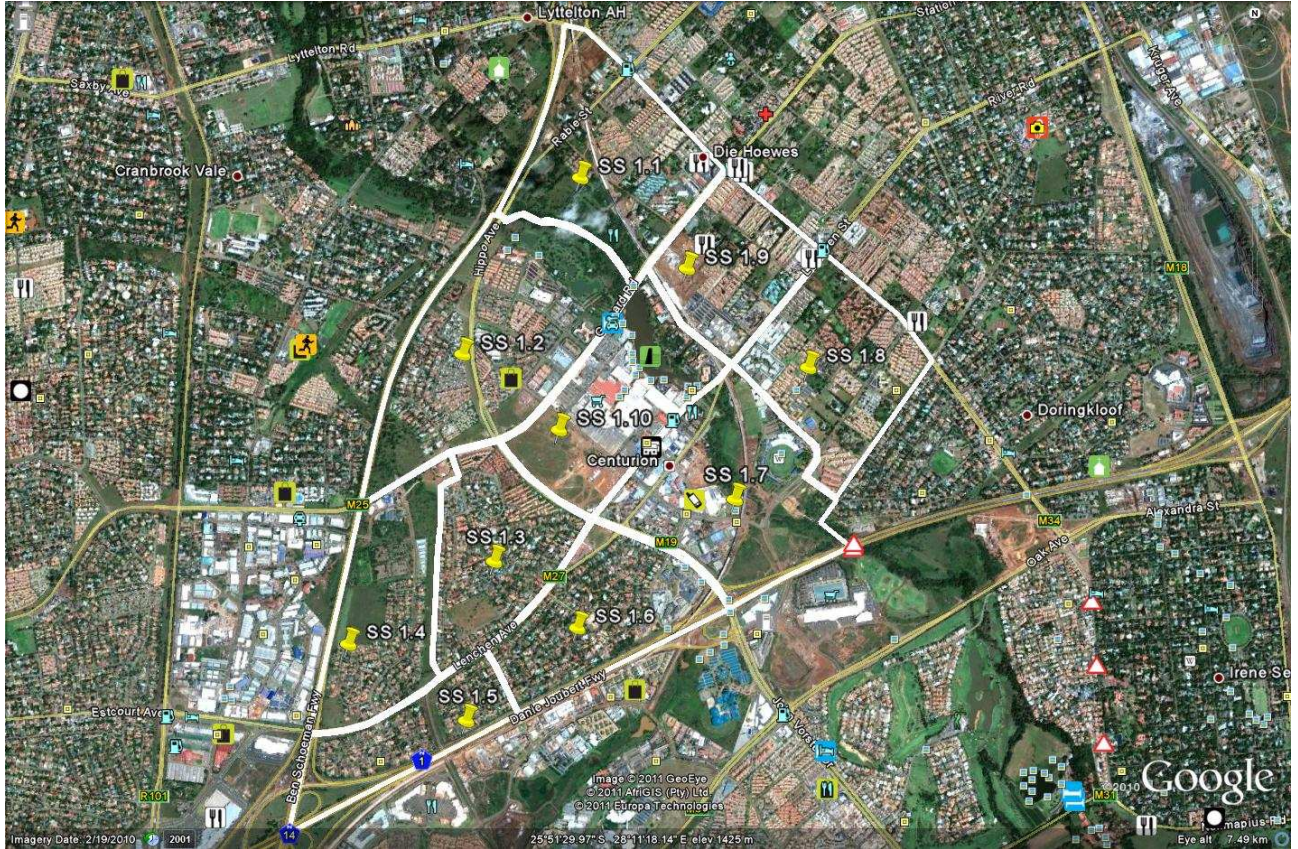
SECRETARY

SAPS STATION COMMISSIONER/COMMANDER

CHAIRPERSON CPF

ENCLOSURE 1

Map: Area outline for Lyttelton Sector 1



ENCLOSURE 2

1. Policy, Legal and Regulatory Framework guiding and informing the LS1 CPSF applicable to this constitution which may be supplemented by new policies, legislation and or strategies, are as follows:
2. The Constitution of the Republic of South Africa, Act No 108 of 1996, as revised or amended;
3. The South African Police Service Act, Act No 68 of 1995;
4. The South African Police Service Amendment Act, Act No 83 of 1998;
5. The South African Police Service Amendment Act, Act No. 57 of 2008;
6. Promotion of Access to Information Act, Act No 2 of 2000;
7. Criminal Procedure Act, Act No 51 of 1977;
8. The Domestic Violence Act, 1998, Act No. 116 of 1998;
9. The Prevention and Combating of Corrupt Activities Act, 2004, Act No. 12 of 2004;
10. Second Hands Goods Act, Act No 6 of 2009;
11. Municipal Systems Act, Act No 32 of 2000;
12. Municipal Systems Amendment Act, Act No 44 of 2003;
13. Civil Protection Act, Act No 67 of 1977;
14. Disaster Management Act, Act No 57 of 2002;
15. National Road Traffic Act (Act No 93 of 1996) and National Road Traffic Regulations of 1999;
16. Public Finance Management Act, Act No 1 of 1999;
17. Inter-governmental Relations Framework Act, Act No 13 of 2005;
18. The Private Security-Industry Regulation Act, 2001 (Act No. 56 of 2001);
19. Gauteng City Improvement Districts Act, Act No 12 of 1997;
20. Safety at Sports and Recreational Events Bill, Bill 7 of 2009;
21. Appropriate Local Government By-Laws;
22. The White Paper on Safety and Security 1998;
23. The White Paper on Local Government 1998;
24. National Policy Frame Work for Public Participation 2005;
25. The National Crime Prevention Strategy, 1996 (Revised 1999);
26. National Policy Guidelines for Victim Empowerment 2009;
27. Government Security Regulator - Minimum Physical Security Standards (MPSS);
28. The South African Police Service Interim Regulations for Community Police Forums and CPSF's, 2001 promulgated by the Minister of Safety and Security in terms of the Act;
29. South African Police Service Community Policing and Sector Policing Regulations and National Orders or Instructions or Guidelines;
30. Manual for Community Based Crime Prevention – Making South Africa Safe.

Lyttelton



Sector 1

ENCLOSURE 4

NOMINATIONS

- 1.1 Nominations for the portfolios indicated in the LS1 CPSF Constitution 11.2 will be requested simultaneously with the notification of the Annual General Meeting and or Special General Meeting when the term of office of the existing Executive Committee expires or any of the portfolios indicated supra be vacated.
- 1.2 Nominations as per pro forma included (see Annexure 1) hereafter to be completed and forwarded to the delegated SAPS Election Officer responsible to oversee the election.
- 1.3 Aforementioned nominations to be consolidated and announced to the Community Members minimum 2 days prior the scheduled/noticed AGM or Special General Meeting.

(PLEASE PRINT AND USE BLACK PEN) -



Sector 1

NOMINATION FORM FOR ALL NOMINATIONS TO THE LS1 CPSF: 201 ___ TO 201 ___

THE LYTTELTON SUB-SECTOR 1 NOMINATES THE FOLLOWING PERSON:

Position for which nominated	
Full Names	
Surname	
Identity number	
Residential address	
Postal address	
Tel (w)	
Tel (h)	
Cell	
Fax	
E-mail	
Sub-Sector of nominee	

We declare that the nominee is available and willing to serve in the capacity for which he/ she is nominated.

Nominated by: (sign)
Name and surname:

Seconded by: (sign)
Name and surname:

I, _____ declare that the above contact information is correct and I accept the abovementioned nomination.

SIGNATURE OF NOMINEE: _____

DATE: _____

ENCLOSURE 5

CODE OF CONDUCT

- 1 Members of the CPF and all related structures shall not promote any party politics when dealing with CPF matters.
- 2 Members must not use any abusive language or make sexist or racist remarks
- 3 No member shall utilize the CPF or SAPS logo or emblem for personal or private gain.
- 4 Members of the SAPS working with the CPF 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 CPF to perform its function, do so without fail.
- 5 Members of the CPF shall agree to have their fingerprints taken for the purpose of security clearance.
- 6 Members of the CPF must declare any conflict of interest and not participate on matters where there is a conflict of interest.
- 7 Members must behave in a diplomatic, professional, controlled and dignified manner when dealing with each other and with the general public.
- 8 CPF members and members of the Service shall not be actively involved in CPF matters whilst under the influence of liquor, drugs and all other illegal intoxicating substances.
- 9 Members of the CPF and Service shall not abuse their positions to bring the CPF and its sub structures into disrepute.
- 10 Any member who contravenes the Code of Conduct, CPF Constitution and or Directives shall be dealt with in accordance with the disciplinary process referred to in Enclosure 7 and may be suspended pending a disciplinary hearing.

ENCLOSURE 6

MISCONDUCT

- 11 Misuse of the organisations property.
- 12 Disclosing confidential information of the CPF or LS1 CPSF to the public, individuals or institutions without the prior written consent of the Executive.
- 13 Refusal to carry out instructions of the CPF or LS1 CPSF or any office bearer acting on behalf of the CPF or LS1 CPSF.
- 14 Drinking liquor and being under the influence of liquor or any intoxicating substance whilst performing duties of the CPF.
- 15 Acting in a manner that exposes the CPF or LS1 CPSF members to a dangerous environment and or criminals.
- 16 Intentionally disregarding the constitution and direction provided by leadership of the CPF or LS1 CPSF.
- 17 Sabotaging activities of the CPF or LS1 CPSF.
- 18 Theft, fraud, insults or use of inappropriate language against members of the CPF and the Community.
- 19 Refusal to execute tasks enabling the CPF or LS1 CPSF to function efficiently and effectively.
- 20 Acting in a manner that disrupts the activities, programmes and projects of the CPF.
- 21 Using the CPF or LS1 CPSF to advance personal political interests.

ENCLOSURE 7

DISCIPLINARY PROCEDURE

- 1 A disciplinary Committee (DC) shall be established to address a reported misconduct.
- 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 CPF or LS1 CPSF.
- 3 Outside or external legal representation shall not be allowed whilst the matter is being dealt with internally.
- 4 A disciplinary committee will consist of two Executive Committee members, one SAPS member, and one member of the forum or LS1 CPSF who does not serve on the executive committee.
- 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.
- 6 The DC may take the following decisions: reprimand the accused person, suspend, expel or order any of the penalties as stipulated under the penalties clause.
- 7 The accused person has the right to appeal to the next higher level structure, and shall file a notice of appeal within five days after judgment.
- 8 The disciplinary hearing can take place in the absence of the accused person in the event that the DC is satisfied that the accused person was properly informed and no valid excuse for the absence was tendered.
- 9 Should a member of the SAPS commit any misconduct, the matter shall be dealt with through SAPS disciplinary procedure and the relevant Station or Cluster Commissioner/Commander shall institute such an action.

ENCLOSURE 8

PENALTIES

- 1 Warning (Verbal or Written).
- 2 Suspension.
- 3 Expulsion.
- 4 Refund or Payback (in cases of theft or fraud).
- 5 Lying of a criminal charge against the accused member.
- 6 Instituting a civil claim against the accused member.
- 7 Some of the penalties may be imposed simultaneously.