


KEMPTON PARK COMMUNITY POLICE FORUM



CONSTITUTION OF KEMPTON PARK COMMUNITY POLICE FORUM (KEMPTON PARK CPF)

Constitution adopted and amended March 2020

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PREAMBLE

Be it therefore acknowledged that the Kempton Park Community Police Forum (KEMPTON PARK CPF) is established in terms of Chapter 7 of the South African Police Service Act, Act 68 of 1995 (the principal Act), and as amended on 28th October 1998 providing a framework for the establishment, functions and control of municipal police services and the South African Police Service Interim Regulations of Community Police Forums and Boards, 2001 (hereinafter referred to as the Interim Regulations 2001), with the aim of ensuring effective liaison between the South African Police Service (SAPS), Community Police Forum and Sector Crime Forums in Kempton Park as envisaged by section 18 of the principal Act.

Due regard shall be taken of the implications of various legislations, regulations and government policies, for example Section 30 of the Income Tax Act and related regulations, Regulations for Safety Measures at Public Schools of 10th November, 2006.

It is recognized that all members of the South African Police Service and the Community share the responsibility and are interdependent on each other to ensure a safe and secure environment for all the people in the Kempton Park precinct.

It is incumbent on every member of a Community Police Forum and Sector Crime Forum to ensure that the partnership between the Community and the Police is maintained in the Police precinct and that all Community Safety and Victim Support Structures are directed, monitored and guided to act within the Law.


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INTRODUCTION

The Community Police Forum is established in terms of Chapter 7 of the South African Police Service Act, Act 68 of 1995 (the principal Act), and as amended on 28th October 1998 providing a framework for the establishment, functions and control of municipal police services and the South African Police Service Interim Regulations of Community Police Forums and Boards, 2001 (hereinafter referred to as the Interim Regulations, 2001), with the aim of ensuring effective liaison between the South African Police Service (SAPS), Community Police Forum and Sector Crime Forums in Kempton Park as envisaged by section 18 of the principal Act.

Due regard shall be taken of the implications of various legislations, regulations and government policies, for example Section 30 of the Income Tax Act and related regulations, Regulations for Safety Measures at Public Schools of 10th November, 2006.

1. DEFINITIONS

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

"Act"	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;
"Annexure A"	shall mean the annexure relating to the Code of Conduct,
"Annexure B"	shall mean the annexure relating to Misconduct
"Annexure C"	shall mean the annexure relating to Disciplinary Procedures
"Board"	shall mean the Gauteng Provincial Community Police Board (GPCPB);
"Constitution"	shall mean the KEMPTON PARK CPF Constitution, including Annexures A, B and C aligned to the approved/adopted and or amended GPCPB constitution during an Annual General Meeting or Special General Meeting of the Board;
"CPF"	shall mean the Community Police Forum at the SAPS precinct / station level'
"CPS"	shall mean the Crime Prevention Strategy
"CPSF"	shall mean the Community Police Sub-forum subordinate to the CPF at the precinct / station level
"Executive Committee"	shall mean the executive committee elected at elective AGM.

"Financial Year"	shall mean the annual period commencing on the 1st of April until 31st March of the following year.
"Guidelines"	shall mean rules that govern all other procedures not included in the Constitution, ensuring compliance to all principles enshrined in this will be applicable to all sub-ordinate structures of the Community Police Forum.
"HOD"	shall mean the Head of Department of Community Safety in the province.
"Interim Regulations"	shall mean the Interim Regulations of 2001 as promulgated in terms of the Act.
"MEC"	shall mean the Member of the Executive Council responsible for policing in the province;
"Membership"	shall mean the members representing each Sector Crime Forum.
"Provincial Commissioner"	shall mean the Provincial Commissioner appointed in term of the SAPS 'Act, Act 68 of 1995.
"PSIRA"	shall mean the Private Security Industry Regulatory Act of 2001
"SCF"	shall mean the Community Police Sector Crime Forums at SAPS precinct/ station level in terms a SAPS National Instruction
"SAPS"	shall mean the South African Police Services in terms of the SAPS Act, Act 69 of 1995, as amended, which includes the Municipal Police;
"VEP"	shall mean the Victim Empowerment Program;
"White Paper"	shall mean the White Paper of Safety and Security of 1998
"Youth"	shall mean the Youth Representative from the youth committee of the Community Police Forum constituting members up to the age of twenty five years;

2. NAME AND LOGO

2.1 The Community Police Forum will officially be known as the Kempton Park Community Police Forum.

2.2 The Logo and Letterhead

2.2.1 The Logo shall be seen as:

A handshake under the Aloe in a circle, and surrounded by the words; 'Community Police Forum' and 'Partners in Policing' on the top and bottom" respectively.

2.2.2 For the purpose of identification, the name of the Forum or Board should be added above the Aloe, for example:

"FAIRLAND COMMUNITY POLICE FORUM",

" HONEYDEW COMMUNITY CLUSTER BOARD" ,

" GAUTENG PROVINCIAL COMMUNITY POLICE BOARD"

2.2.3 And shall be used on all correspondence of the Boards, Forums, and Sector Forums.

2.2.4 The Logo should only be used for official Board, Cluster Board, CPF, CPSF and Sector Forum activities and correspondence.



3. OBJECTIVES

The Objectives of the Kempton Park CPF are the following:

- 3.1 To establish, promote and maintain public participation and private partnership between the community and the SAPS in the fight against crime;
- 3.2 To promote effective communication and co-operation between the SAPS and the community in fulfillment of policing needs;
- 3.3 To improve the transparency and accountability of the SAPS to the Community;
- 3.4 To ensure joint problem identification and resolution by the SAPS and the community;
- 3.5 To direct, support and develop projects which shall improve the rendering of policing services to the community at station and sector levels;
- 3.6 To support and co-ordinate the programs of Kempton Park CPF, who shall support and co-ordinate the programs of the Kempton Park Sector Crime Forums.
- 3.7 To consult with and advise the Station Commander or his or her delegates with regards to all matters pertaining to community policing;
- 3.8 The Kempton Park CPF shall function within the principles contained in the principal Act, Interim Regulations, 2001 and any other regulatory and/or policy framework mentioned in this Constitution;

4. FUNCTIONS

The functions of the Executive (EXCO) are as follows:

- 4.1. To promote the accountability of the SAPS to communities and encourage cooperation between communities and the Police Service;
- 4.2. To advise the Station Commander, District Commander, Provincial Board and the Department of Community Safety regarding local policing priorities;
- 4.3. To report results of any evaluation regarding service delivery to the community and relevant managers within the service at Station level;
- 4.4. To facilitate the resolution of concerns, problems and complaints from Stations SCF's;
- 4.5. To inform Stations SCF's and CPSF's about activities of the Kempton Park CPF and engage them in these activities.
- 4.6. To promote and monitor the effective management of Stations SCF's;
- 4.7. To monitor and request reports on activities of the Stations SCF's and ensure/promote the sharing of good practices;
- 4.8. To co-ordinate and support the Station Commander in establishing and sustaining functionally constituted Stations SCF's and to ensure that the Stations CPF Constitutions are aligned to the Board;
- 4.9. To receive and evaluate quarterly reports from Stations SCF's and provide and submit to the Board
- 4.10. To participate and inform the relevant Board committee in their evaluation of the policing services in the Station;
- 4.11. To formalize community safety policies in line with the CPS, appropriate policies, the Community Safety Plans and to direct and evaluate the implementation thereof at all station SCF's
- 4.12. In line with the hierarchical arrangements, the KEMPTON PARK CPF shall function and liaise through the Station SCFs and CPSFs as appropriately required;
- 4.13. To develop, approve and amend all Addendums / Regulations, Codes and Policies to regulate and direct Stations SCF's, CPSF's and relevant community safety projects and programs.


5 COMPOSITION OF THE KEMPTON PARK CPF

The KEMPTON PARK CPF shall consist of:

- 5.1. The Chairperson from each Station SCF's within the Station precinct elected by the Community or a person nominated by the Chairperson from the respective Executive Committee of the Station SCF's;
- 5.2. The Station commander or his or her delegates designated by the Station Commander shall serve on the Executive Board as an Ex Officio member, with no voting rights, unless required to do so, in terms of Clause 12.7 of this Constitution;
- 5.3. The Chief or Deputy Chief designated by the respective Municipal Police Head from the Ekurhuleni Municipal Councils, with no voting rights, unless required to do so, in Clause 12.7;
- 5.4. The KEMPTON PARK CPF shall at its discretion invite and co-opt any Head of municipal department or Deputy as designated by the Heads of Department to serve on the Board as an ex-officio member, with no voting rights;
- 5.5. The KEMPTON PARK CPF shall whenever it is deemed necessary, co-opt any other person(s) to serve on the KEMPTON PARK CPF in an advisory capacity, with no voting rights;
- 5.6. During the AGM, the KEMPTON PARK CPF shall further elect an agreed number of members to handle designated portfolios, as may be determined by the KEMPTON PARK CPF with no voting rights; and
- 5.7. Heads of other Station SAPS units shall be invited to participate, with no voting rights.

6 ANNUAL GENERAL MEETING

- 6.1 All Annual General Meetings shall be held each year within six 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;
- 6.2 The Secretary shall, in writing, give notice to all members of an Annual General Meeting at least 30 days prior to the date of the Meeting.
- 6.3 The Secretary shall, in writing, give notice of a Public Meeting together with the Councilors once per quarter .

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7. TERMS OF OFFICE

The term of office for the KEMPTON PARK CPF is determined as follows:

- 7.1 Elected Executive Members of Station Executive and of the Station SCF's and all Station CPSF's ordinate hierarchical structures shall serve for a period of five years.
- 7.2 Any interim elected executive members shall serve for the remainder of the period up to the next elective AGM.

8. ELECTION OF THE EXECUTIVE COMMITTEE

- 8.1 The Station SCF's shall elect an Executive Committee during the elective AGM, which shall be overseen by the Station Commander of SAPS or his or her delegates designated by the Station Commander and the Department of Community Safety or the Board;
- 8.2 The Executive Committee of the KEMPTON PARK CPF shall comprise the following office bearers:
 - 8.2.1 Chairperson
 - 8.2.2 Deputy Chairperson
 - 8.2.3 Secretary
 - 8.2.4 Deputy Secretary
 - 8.2.5 Treasurer
 - 8.2.6 Public Relations Officer
 - 8.2.7 Representative Additional Members from the Sectors
 - 8.2.8 Co-opted members with dedicated tasks as and when required by the KEMPTON PARK CPF with no voting rights.
- 8.3 Vacancies for any of the above shall be elected at a duly convened Special General Meeting.
- 8.4 Voting at Elective Annual General Meetings and Special General Meetings shall be by ballot paper overseen by the Station Commander or his or her delegates designated by the Station Commander and the Department of Community Safety or the Board
- 8.5 The electoral process for the KEMPTON PARK CPF shall be sensitive towards gender, race and demographics representatively. In the event that the democratic process does not result in the adequate representation of both genders, the KEMPTON PARK CPF may co-opt members, without voting rights, to manage specific tasks, as approved by the KEMPTON PARK CPF.

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9. FUNCTIONING OF THE EXECUTIVE COMMITTEE

9.1 ADMINISTRATIVE SUPPORT

- 9.1.1 The Executive Committee shall have the authority to manage and control the affairs of the KEMPTON PARK CPF, including the authority to attend to any matter that could or might be attended to by the KEMPTON PARK CPF, except where a matter is specifically reserved in this constitution to be dealt with by an Annual General Meeting or a Special General Meeting of the KEMPTON PARK CPF.
- 9.1.2 An officer, designated by the Station Commander of the SAPS, shall be appointed to assist the Executive Committee in the administrative management of the KEMPTON PARK CPF

9.2 COMMITTEE DECISIONS

- 9.2.1 The Executive Committee shall report to the KEMPTON PARK CPF on a quarterly basis;
- 9.2.2 The KEMPTON PARK CPF shall have the power to convene an Extra-ordinary Special General Meeting in the event that it has lost confidence in the Executive Committee and requested by a minimum of fifty per cent of KEMPTON PARK CPF Members plus one and supported by more than two thirds of the KEMPTON PARK CPF Members in attendance, to elect new Executive members; and
- 9.2.3 The Executive Committee shall have the power to pass any resolution or take any decision, that may be necessary or expedient in order to achieve the objectives of the KEMPTON PARK CPF, provided that the Executive Committee shall 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 KEMPTON PARK CPF taken prior to the date of the resolution or decision by the Executive Committee and/or any decision that may have adverse financial implications to the KEMPTON PARK CPF.
- 9.2.4 All the decisions as determined in Clause 9.2.3 shall be presented at the subsequent KEMPTON PARK CPF meeting for ratification or to be condoned.

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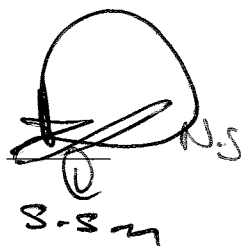
9.3 ESTABLISHMENT OF SUB COMMITTEES

- 9.3.1 The KEMPTON PARK CPF shall form or appoint sub-committees for designated portfolios as it may be determined, e.g. youth, community patrollers, victim empowerment, business, legal and constitutional, crime prevention programs, etc.
- 9.3.2 Regulations and Policies to regulate all sub-committees established in terms of Clause 9.3.1.1 Shall be promulgated by the KEMPTON PARK CPF in terms of Clause 4 .13 of this Constitution.


9.4 FINANCIAL MANAGEMENT AND INCOME TAX EXEMPTION.

Pursuant to the requirements of Section 30 of the Income Tax Act and related Regulations thereto, as amended from time to time, and pursuant to the requirement for appropriate financial management of the affairs of the Board, the Executive Committee shall:

- 9.4.1 At the conclusion of each financial year, provide all the financial records of the KEMPTON PARK CPF to be certified in accordance with Generally Accepted Record keeping Practices and as a true reflection of the income, expenditure, assets and liabilities of the KEMPTON PARK CPF as audited by a duly appointed authorized Auditor or Accountant (as provided for in terms of the Auditors Act 25 of 2004 and relevant Acts and regulations). A copy of such Annual Audit shall be provided to the South African Revenue Service as soon as such audit report is completed and approved each year by the AGM or Special General Meeting.
- 9.4.2 At no time shall the financial affairs of the KEMPTON PARK CPF be or be capable of being controlled by any one single person and the KEMPTON PARK CPF shall ensure the compliance with all the Financial Management provisions of Clause 9.4.
- 9.4.3 Ensure save for reasonable professional fees for bona fide services rendered to the KEMPTON PARK CPF, members and/or their relatives do not derive any benefit from the funds of the KEMPTON PARK CPF whatsoever, other than what has been formally approved by the KEMPTON PARK CPF.
- 9.4.4 Ensure that all KEMPTON PARK CPF property, whether moveable or immoveable, is registered in the name of the Kempton Park Community Police Forum and is administered solely for the purpose and furtherance of its objectives and principles.

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- 9.4.5 Under no circumstances, permit any or participate in any speculative financial transactions with KEMPTON PARK CPF assets, without the approval of the KEMPTON PARK CPF.
- 9.4.6 Not Institute, conduct, defend, oppose, settle or abandon any legal proceedings by or against the KEMPTON PARK CPF or otherwise concerning the affairs of the KEMPTON PARK CPF and also to settle and allow time for payment in satisfaction of any debt or obligations due and/or any claims and demands by or against the KEMPTON PARK CPF.
- 9.4.7 Not Invest, re-invest and deal with any monies of the KEMPTON PARK CPF not immediately required for the purposes of the KEMPTON PARK CPF, upon such securities and on such terms as the KEMPTON PARK CPF may deem fit and from time to time vary such investments, provided that at all times funds available for investment shall only be invested in registered financial institutions as defined in Section 1 of the Financial Institutions (Protection of Funds Act 28 of 2001).
- 9.4.8 Not Sell, lease, alienate or otherwise dispose of the moveable or immoveable property of the KEMPTON PARK CPF, as it deems beneficial to the KEMPTON PARK CPF and to apply the consideration arising therefrom pursuant to the objectives of the KEMPTON PARK CPF.
- 9.4.9 Not Purchase, hire or take in exchange or otherwise acquire any moveable or immoveable property or rights for or on behalf of the KEMPTON PARK CPF or otherwise deal with all or any of the assets of the KEMPTON PARK CPF.
- 9.4.10 Ensure at all times, that the assets of the KEMPTON PARK CPF shall be registered in the name of the KEMPTON PARK CPF and that KEMPTON PARK CPF assets shall not be held in any nominee capacity or in the name of any other individual or entity at any time.
- 9.4.11 Ensure that no more than five thousand rand (R5000) per annum shall be utilized or expended outside the borders of the Republic of South Africa without the prior written consent of the South African Revenue Service.
- 9.4.12 A copy of all future proposed amendments to this Constitution must be submitted to the South African Revenue Service for approval.
- 9.4.13 Any trading activities which may be undertaken shall not exceed Fifteen Per Cent (15%) of the total income of the KEMPTON PARK CPF in any one financial year.
- 9.4.14 Accept or make donations provided that in the acceptance or making of any donation, no conditions shall be imposed enabling the donor or any connected

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person to the donor, to receive or derive a direct or indirect benefit from such donation.


9.4.15 In the event of the dissolution or winding up of the Kempton Park Community Police Forum, for any reason whatsoever, then all moveable and immoveable property registered in the name of the KEMPTON PARK CPF shall be given and transferred to (Ekurhuleni North Community Police Board) which itself is also qualified for exemption for payment of income and donations tax in terms of Section 30 of the Income Tax Act.

9.4.17 Any expenditure or commitment that shall have financial implications not declared or authorized in the Approved Annual Budget shall be presented for approval to a Special General Meeting of the KEMPTON PARK CPF

9.5 REMOVAL FROM OFFICE


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

- 9.5.1 Resigns his or her office by notice in writing to and by acceptance by the KEMPTON PARK CPF and the KEMPTON PARK CPF is satisfied that all relevant information and responsibilities have been duly handed over to the KEMPTON PARK CPF and/or successor;
- 9.5.2 Is convicted of a criminal offence while in office;
- 9.5.3 Is absent from three (3) consecutive meetings of the Executive Committee without just, or reasonable cause given to the Executive Committee; 60% attendance in a yearly cycle is also required.
- 9.5.4 The Executive Committee shall have the right to co-opt any member of the KEMPTON PARK CPF into the Executive Committee 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);
- 9.5.5 The KEMPTON PARK CPF may, at a meeting of the KEMPTON PARK CPF 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; and
- 9.5.6 The removal of an Executive Committee member from office in terms of the above provision (9.5.5) shall be possible only if at least two thirds of the members of the KEMPTON PARK CPF in attendance vote in favor of it.
- 9.5.7 If an Executive member is removed from the Sector level Committee, he/she must also be removed from the Executive Board.

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10 LEGAL STATUS AND ASSETS OF THE KEMPTON PARK CPF

- 10.1 The KEMPTON PARK CPF is a distinct legal entity, in line with the SAPS Act and regulations, 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.
- 10.2 The KEMPTON PARK CPF is and will be a juristic person and can act and be acted against in its own name.
- 10.3 The property and funds of the KEMPTON PARK CPF vest in the KEMPTON PARK CPF as a juristic person and no member of the KEMPTON PARK CPF will be liable for the debts of the KEMPTON PARK CPF.
- 10.4 All assets of the KEMPTON PARK CPF 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 KEMPTON PARK CPF; 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 KEMPTON PARK CPF.
- 10.5 Any act or deed carried out by any member of the KEMPTON PARK CPF or the Executive Committee pursuant to any power being conferred to such member by the KEMPTON PARK CPF shall, once the same has been carried out pursuant thereto, not be invalidated by any subsequent meeting or decision of the KEMPTON PARK CPF; Provided that the KEMPTON PARK CPF in its sole and absolute discretion, is satisfied that any act or deed was not performed:
- 10.5.1 In a grossly negligent manner;
- 10.5.2 Outside the power conferred upon such person or individual or body under the constitution, or,
- 10.5.3 Outside of such powers, as has been determined by the KEMPTON PARK CPF either in a meeting of the Executive Committee, Annual General Meeting or Special General Meeting.

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11. DUTIES OF OFFICE BEARERS

11.1 The Chairperson must:


- 11.1.1 Preside over meetings of the KEMPTON PARK CPF;
- 11.1.2 Ensure the execution of all decisions of the Executive Committee and the KEMPTON PARK CPF;
- 11.1.3 Represent the KEMPTON PARK CPF as and when it is necessary;
- 11.1.4 Report regularly on the functioning of the KEMPTON PARK CPF to the Station Commander, MEC and ENCCPB and provide feedback and directives to the KEMPTON PARK CPF;
- 11.1.5 Submit reports reflective of the activities or the work of the KEMPTON PARK CPF; and,
- 11.1.6 Supervise all work of the KEMPTON PARK CPF in conformity with the constitution, the relevant legislation and procedures agreed upon by the KEMPTON PARK CPF.
- 11.1.7 Represent the CPF at Board Level.

11.2 The Deputy Chairperson must:

- 11.2.1 In the absence of the Chairperson, act as the chairperson;
- 11.2.2 Oversee the establishment of Patroller structures, i.e Youth Desk, etc.

11.3 The Secretary must:

- 11.3.1 Take and compile the minutes in accordance with the provisions of this Constitution;
- 11.3.2 Receive and dispatch correspondence to and from the KEMPTON PARK CPF;
- 11.3.3 Arrange all meetings in accordance with the meeting's procedure;
- 11.3.4 Keep originals of letters received and copies of letters dispatched and correspondence.
- 11.3.5 Perform official administrative functions normally associated with the office of the secretary; and,
- 11.3.6 Further the interests of the KEMPTON PARK CPF, as directed by the Executive Committee.
- 11.3.7 The Secretary shall, in conjunction with the Treasurer, ensure that the funds of the KEMPTON PARK CPF are administered in accordance with the policy of

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the KEMPTON PARK CPF, prepare and circulate the annual report of the activities of the KEMPTON PARK CPF which will include the audited finance report.

11.4 The Deputy Secretary must:

11.4.1 In the absence of the Secretary, act as the Secretary; and,

11.4.2 Together with the PRO develop and manage the public relations of the KEMPTON PARK CPF.

11.5 The Treasurer must

11.5.1 Be responsible for the finances of the KEMPTON PARK CPF and ensure strict compliance with generally accepted accounting procedures in accordance with Clause 9.4 of this Constitution;

11.5.2 Together with another designated member of the KEMPTON PARK CPF, operate a banking account on behalf of the KEMPTON PARK CPF;

11.5.3 Keep books of account and other records necessary to clearly reflect the financial position of the KEMPTON PARK CPF; and,

11.5.4 Table a financial report at every general meeting of the KEMPTON PARK CPF and Annual Financial Report and Budget for the subsequent year at every Annual General Meeting.

11.6 The Public Relations officer must:

11.6.1 Act as liaison between the KEMPTON PARK CPF and the media;

11.6.2 Promote cooperation between the KEMPTON PARK CPF and the community; and,

11.6.3 Promote awareness of community policing.


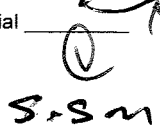
11.6.4 Work hand in hand with Station Communications Officer.

12. DECISION MAKING PROCEDURES

12.1 Each member of the KEMPTON PARK CPF shall be entitled to a single vote as stipulated in Clause 5 of this Constitution.


12.2 The KEMPTON PARK CPF shall, as far as reasonably possible, reach decisions by consensus. If consensus cannot be achieved, the KEMPTON PARK CPF shall vote on the matter.

12.3 The chairperson has a deliberative vote and shall cast a deciding vote, when there are an

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equal number of votes on each side of the question.

- 12.4 Voting during Elective Annual General Meeting and Elective Special General Meeting shall be by ballot paper unless requested by more than 50% of the members in attendance for a show of hands, overseen by the Station Commander or his or her delegates designated by the Station Commander and the MEC or the HOD.
- 12.5 The outgoing Executive Committee shall have no voting rights at an Elective AGM or Special General Meeting unless they are representing a Station SCF.
- 12.6 Voting at Annual General Meetings, Special General Meetings and KEMPTON PARK CPF meetings shall be by ballot paper, unless requested by more than 50% of the members in attendance for a show of hands.
- 12.7 In the event of an equal vote for the position of Chairperson of the KEMPTON PARK CPF, at an Elective AGM or Special General Meeting, the members representing the Station SCF's, shall be requested by the electoral officer for a revote. In the event that the recount is still even between the candidates, then the Station Commander or his or her delegates designated by the Station Commander and Department of Community Safety and Board shall be requested to arbitrate between the candidates and resolve the impasse in whichever way they consider.
- 12.8 In the event of an equal vote for other candidates of the Executive to be elected at an Elective AGM or an Elective Special General Meeting, the electoral officer shall request a re-vote and if the outcome continues to be even between the candidates, then the newly elected Chairperson shall have the casting vote.

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13. RECORD MANAGEMENT

The Secretary shall:

- 13.1 Keep a record of the members of the Executive Committee present at any meeting, and minutes to be kept of all resolutions and proceedings at such meetings;
- 13.2 Minutes to be kept of all resolutions taken by the KEMPTON PARK CPF, which must be adopted by the KEMPTON PARK CPF prior to the signatures of the chairperson and secretary, shall be prima facie evidence of the matters therein stated; and,
- 13.3 A resolution, in writing, which is signed by all the members of the Executive Committee and inserted in the minute book of the executive committee, shall be as valid and effective from the date signed by them, even though it could be approved, ex-post facto at the KEMPTON PARK CPF's next meeting.

14. MEETINGS OF THE KEMPTON PARK CPF

- 14.1 The KEMPTON PARK CPF shall meet monthly or as determined by the KEMPTON PARK CPF.
- 14.2 The Executive shall determine its own procedures and shall conduct its meetings with equality of opportunity and fairness.
- 14.3 The members of the Executive Committee and Station SCF chairpersons must attend the KEMPTON PARK CPF meetings
- 14.4 Apart from the persons mentioned at sub-paragraph 14.4 above, the KEMPTON PARK CPF may extend invitations to any internal or external role player to attend the annual general meeting.
- 14.5 The KEMPTON PARK CPF must twice a year convene a broader KEMPTON PARK CPF meeting where the Station SCF executive committees also attend.
- 14.6 The KEMPTON PARK CPF must also once a year convene an extended broader KEMPTON PARK CPF meeting where the chairpersons of Station SCF's and Station CPSF's also attend.
- 14.7 Minutes and other documents of meetings must be distributed within 21 days after the respective meeting.
- 14.8 A Year planner for all meetings should be presented, approved and circulated to all Members of the KEMPTON PARK CPF at the last meeting of the KEMPTON PARK CPF of the preceding year.
- 14.9 The Executive Committee shall present an integrated Strategic Plan for the KEMPTON PARK CPF for adoption for the next financial year at the last meeting of the KEMPTON PARK CPF of the preceding year
- 14.10 When a newly elected Executive Committee succeed they shall be required to amend

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and or ratify the Strategic Plan at the first KEMPTON PARK CPF Meeting after the Elective AGM or Special General Meeting.

- 14.11 The Chairperson of the KEMPTON PARK CPF shall convene a special KEMPTON PARK CPF meeting when requested by at least fifty per cent (50%) plus ONE, of the membership of the KEMPTON PARK CPF and the notice for such meeting must include an agenda indicating the items to be discussed.

15. NOTICE OF MEETINGS


- 15.1 The secretary shall, in writing, give notice to all members of Executive Committee at least 7 days prior to the date of the meeting concerned, as determined in the Year Planner for all meetings.
- 15.2 The secretary shall, in writing, give notice to all members, of a General and or a Special General Meeting at least 21 days prior to the date of the meeting. The notice shall include the agenda for such special meeting.
- 15.3 The secretary shall in writing and or any other form of communication, give notice to all members, for a Special Meeting called for by the Board; Department of the Community safety and or Station Commander, at a reasonable time depending on the urgency of the matter prior to the date of the meeting. The notice shall include the agenda for such special meeting and the purpose.

16. QUORUM

- 16.1 During all meetings of the KEMPTON PARK CPF, a quorum will be constituted by the presence of fifty per cent (50%) of the members of the KEMPTON PARK CPF, plus one.
- 16.2 Should the KEMPTON PARK CPF members present at a meeting not form a quorum, the meeting shall be adjourned and reconvened within seven days and the members then present shall constitute a quorum to proceed with the meeting, provided that all members have been duly informed in writing and or any other form of communication.

17. CORRESPONDENCE

- 17.1 All documents and correspondence on behalf of the KEMPTON PARK CPF shall be signed by the secretary and Chairperson or a person duly authorized by the KEMPTON PARK CPF.
- 17.2 Notwithstanding the diversity of languages in the Republic of South Africa, English, where appropriate, shall be the medium of communication.


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18. CODE OF CONDUCT AND DISCIPLINARY PROCEDURES

- 18.1 The KEMPTON PARK CPF shall adopt a code of conduct and disciplinary procedures which shall become annexures to this Constitution.
- 18.2 All KEMPTON PARK CPF members shall undergo a security clearance, which shall be carried out by the Local Criminal Records Centre (LCRC) once in a 12 Month Cycle.

19. DISPUTE RESOLUTION


- 19.1 The resolution of disputes relating to the KEMPTON PARK CPF, Station SCF's and Station CPSF's shall be dealt with in terms of paragraph 14 (3) of the Interim, which cannot be resolved by the STATION COMMANDER in consultation with the Regulations, 2001.

20. DISSOLUTION OF THE KEMPTON PARK CPF

- 20.1 The STATION Commander shall, in consultation with the MEC, dissolve the KEMPTON PARK CPF, with reasons, and put in place an interim statutory structure. A special AGM must then be convened within ninety (90) days to elect a new KEMPTON PARK CPF.
- 20.2 In the event of the KEMPTON PARK CPF being dissolved in terms of clause 20.1, above, the statutory interim structure shall manage the assets and liabilities of the KEMPTON PARK CPF.
- 20.3 Similarly, the dissolution of a STATIONS SCF and or any other sub-fora shall be confirmed by the STATION COMMANDER in consultation with the DCS/ THE BOARD.


21. AMENDMENTS TO THE CONSTITUTION

- 21.1 The constitution of the KEMPTON PARK CPF can only be amended during an Annual General Meeting or Special General Meeting of the Gauteng Provincial Community Police Board;
- 21.2 Intention to amend the constitution, as well as the proposed amendments, must be circulated to all members of the KEMPTON PARK CPF at least 21 days prior to the meeting; and,
- 21.3 The Constitution can only be amended by a two-thirds majority of the required quorum for an AGM.

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22. ELIGIBILITY TO BE IN THE EXECUTIVE OF THE KEMPTON PARK CPF


- 22.1 All SCF members resident and/or employed and/or ratepayers in KEMPTON PARK POLICE PRECINCT and in good standing, not specifically excluded in terms of this Constitution, shall be eligible to be voted into the Executive of the KEMPTON PARK CPF.
- 22.2 The following persons shall not hold elected positions in the KEMPTON PARK CPF:
- 22.2.1 Serving employees of SAPS, as regulated in the SAPS Act as amended (including the employees of Metro Police Departments), employees of both the National and Provincial Secretariats for Police Services, employees of the Independent Police Investigative Department
- 22.2.2 SAPS Reservists, unless required in an ex-officio capacity.
- 22.2.3 Persons with a criminal record, unless expunged in terms of the Criminal Procedures Act or except those related to a political nature committed before the 27th April 1994;
- 22.2.4 Owners and employees of private security companies as regulated by the PSIRA, unless required in an ex-officio capacity;
- 22.2.5 Persons who are not citizens of the Republic of South Africa;
- 22.2.6 Persons under the age of 18 years, unless representing an elected CPF youth desk committee;
- 22.2.7 Persons holding elected political positions in registered political parties with responsibilities in public office;
- 22.2.8 Any person that may have a direct conflict of interest with the operations and crime intelligence of SAPS, unless required in an ex-officio capacity

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23. APPROVAL OF THE CONSTITUTION

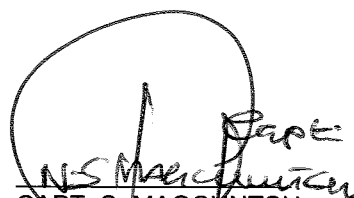
This amended Constitution, including all Annexures and Regulations approved by the Gauteng Provincial Community Police Board, is adopted and:

Signed at SAPS KEMPTON PARK on this day 04 of MARCH 2020


V. VILJOEN
KEMPTON PARK CPF
EXCO CHAIRPERSON



S. ROSSOUW
KEMPTON PARK CPF
EXCO SECRETARY


BRIG. S.S. MAREDI
KEMPTON PARK SAPS
STATION COMMANDER


CAPT. S. MAGCUNTSU
KEMPTON PARK SAPS
SAPS CPF COORDINATOR

Revision History

Rev 1, Aug 2008 -Constitution approved & Accepted
Rev 2, Dec 2014 -Constitution amended & Accepted
Rev 3, May 2016 -Constitution amended & Accepted
Rev 4, Mar 2020 -Constitution amended & Accepted


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ANNEXURE A


CODE OF CONDUCT

1. Members of the KEMPTON PARK CPF and all its structures shall not promote any political party policies when dealing with KEMPTON PARK CPF and respective CPF matters at all levels mentioned in this Constitution.
2. Members shall not use any abusive language or make sexist or racist remarks.
3. No member shall utilize the KEMPTON PARK CPF or SAPS logo or emblem for personal or private gain.
4. Members of the SAPS working with the KEMPTON PARK 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 KEMPTON PARK CPF to perform its function, do so without fail.
5. Members of the KEMPTON PARK CPF shall agree to have their fingerprints taken for the purpose of security clearance.
6. Members of the KEMPTON PARK 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 professional, controlled and dignified manner when dealing with each other and with the general public,
8. KEMPTON PARK CPF members and members of the Service shall not be actively involved in KEMPTON PARK CPF and CPF matters whilst under the influence of liquor, drugs and all other illegal intoxicating substances.
9. Members of the KEMPTON PARK CPF and Service shall not abuse their positions to bring the KEMPTON PARK CPF and its sub structures into disrepute.
10. Members of the Station SCF's must hand over all records and assets of the respective SCF or KEMPTON PARK CPF to the incumbents within 30 days of leaving office.
11. All members transported in SAPS vehicles shall complete a formal indemnity form, which shall be valid for their term of office.
12. Any member who contravenes the Code of Conduct and Board constitution shall be dealt with in accordance with the disciplinary process referred to in Annexure C of this Constitution and may be suspended pending a disciplinary hearing

ANNEXURE B

MISCONDUCT

1. Misuse of property belonging to the Kempton Park Community Police Forum;
2. Disclosing confidential information of the KEMPTON PARK CPF to the public, individuals or institutions without the prior written consent of the Executive.
3. Refusal to carry out LAWFULL instructions of the KEMPTON PARK CPF or any office bearer acting on behalf of the KEMPTON PARK CPF.
4. Drinking liquor and being under the influence of liquor or any intoxicating substance whilst performing duties of the KEMPTON PARK CPF.
5. Acting in a manner that exposes the KEMPTON PARK CPF members to a dangerous environment and or criminals.
6. Intentionally disregarding the constitution and direction provided by leadership of the KEMPTON PARK CPF.
7. Acts for other group and / or person who seek to disrupt the activities of the KEMPTON PARK CPF or prevent it from fulfilling its set Aims and Objectives.
8. Theft, fraud, insults or use of inappropriate language against members of the KEMPTON PARK CPF and the Community.
9. Refusal to execute tasks enabling the KEMPTON PARK CPF to function efficiently and effectively.
10. Acting in a manner that disrupts the activities, programmers and projects of the KEMPTON PARK CPF.
11. Using the KEMPTON PARK CPF to advance personal and political interests.
12. Using membership of the KEMPTON PARK CPF to promote personal financial gain
13. Any member charged by SAPS for any such CRIME shall be suspended until the outcome of the investigation and or court finding. Only the KEMPTON PARK CPF shall have discretion if representation is made by the member accuse of such crime
14. Any adverse conduct, act or omission, any form of publication, utterances or any other matter which potentially has the effect of bringing the KEMPTON PARK CPF into disrepute, including but not LIMITED to political utterances or acts, disobedience to the law and incitement.
15. Inappropriate use of the logo and not in accordance with Clause 2.2 of the Constitution.


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ANNEXURE C


DISCIPLINARY PROCEDURE

1. A Disciplinary Committee 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 KEMPTON PARK CPF.
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, two SAPS members, and two members of the KEMPTON PARK CPF who does not serve on the executive committee, and/or any outside party nominated by the Executive, that can assist in any legal capacity i.e. Attorneys etc.
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 Disciplinary Committee may take the following decisions: reprimand the accused person, suspend, expel or order any of the penalties as stipulated under the penalty 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 Disciplinary Committee 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 District Commander shall institute such an action.

PENALTIES

- a. Warning (Verbal or Written)
- b. Suspension
- c. Expulsion
- d. Refund or Payback (in cases of theft or fraud)
- e. Laying of a criminal charge against the accused member
- f. Instituting a civil claim against the accused member
- g. Some of the penalties may be imposed simultaneously

Constitution adopted and amended March 2020

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