



# **CONSTITUTION OF OLD OAK RATEPAYERS' ASSOCIATION**

## **1. NAME**

The name of the Association shall be known as Old Oak Ratepayers Association. In this document, reference will be made to the "**Association**".

## **2. OBJECTIVES**

The objectives of the Association are to:

- 2.1 cultivate interest in matters pertaining to the development of the area and to liaise with the Metro/Municipality, its officials and any other organisation to promote aspects that will be beneficial for the residents;
- 2.2 consider municipal policy and matters;
- 2.3 promote the interests of the residents in the area;
- 2.4 obtain and communicate information and take the necessary well-considered actions for the benefit of the residents in the area;
- 2.5 get involved in any Metro/Municipal issue as the need arises;
- 2.6 stimulate interest in local government and community affairs and cultivate proud citizenship;
- 2.7 discuss and deal with matters of community interest in a neutral political and religious manner;
- 2.8 cooperate with other communities and other organisations that have similar objectives;
- 2.9 strive for the maintenance and, where necessary, the improvement of services and aesthetic standards (for all role players); and
- 2.10 protect and promote the traditions, values, ethics and ideals of the community.

## **3. MANDATED AREA**

The mandated area of the Association includes Bellair, Blommendal, Blomtuin, Groenvallei, La Rochelle, Oak Glen and Vredenberg in Bellville.

## **4. MEMBERSHIP**

- 4.1 Membership is available to all ratepayers (owners) and tenants in the mandated area.
- 4.2 New members must complete an application form and be accepted or rejected at an Executive Committee meeting.
- 4.3 The Executive Committee reserves the right to refuse any person as a member without giving reasons. If the Executive Committee deems it necessary in the interest of the Association to notify an existing member in writing of an intended suspension, as well as the reasons for it, or without providing reasons for it, the member concerned will be given the opportunity to present his/her case before the Executive Committee. If the member concerned is not present, or a written explanation from such a member is received on or before the date determined, such a member will automatically be considered suspended. A suspended member does not have the right to reclaim any Association fees.
- 4.4 Only ratepayers (owners) or their designated representatives in the area have the right to vote to make amendments to the Constitution.
- 4.5 Persons will be recognised as members only if they have been accepted according to procedure and pay their annual membership fees regularly.

## **5. MEMBERSHIP FEES**

- 5.1 The Executive Committee will set and approve membership fees annually.
- 5.2 Each member must pay membership fees in full **before 30 April** each year.
- 5.3 New members who join must pay their membership fees in full within one month.

## **6. MEETINGS**

- 6.1 The Chairperson will lead all meetings. In the absence of the Chairperson, the Vice-Chairperson will act as Chairperson.
- 6.2 An Annual General Meeting (AGM) must be held annually, preferably in November of a given year. Matters will be dealt with in accordance with the items on the agenda as follows:
  - 6.2.1 Approval of the minutes of the previous Annual General Meeting and Special General Meeting (SGM)
  - 6.2.2 Annual report of the Chairperson.
  - 6.2.3 Treasurer's report (Statement of income and expenditure).
  - 6.2.4 Correspondence.
  - 6.2.5 Election of new Executive Committee.

- 6.3 **Information/feedback meetings** will be held every **second** month. The first meeting will be held in **February** of a relevant year. A quorum will not apply at this meeting because no decisions are taken during this meeting. Members can present requests/problems at this meeting.
- 6.4 Notification of all meetings (excluding Special General Meetings) as well as an agenda must be sent to all members at least **seven** days before such meetings either in writing or via social media (WhatsApp).
- 6.5 The quorum at the Annual General Meeting will be **50% plus 1** of the total number of active members as registered on the day before the meeting. If there is not a quorum after **fifteen** minutes (15) of the starting time of the meeting, the members present will form a quorum.
- 6.6 Any decision taken by a majority vote at a meeting will be binding on all members.
- 6.6.1 A proposal may be accepted by hand vote with the understanding that any member may insist on closed ballots.
- 6.7 When a tie voting situation occurs during a meeting, the Chairperson will cast the deciding vote.
- 6.8 If necessary, the Executive Committee can convene a Special General Meeting for an extraordinary (urgent) matter.

**PLEASE NOTE:**

- 6.8.1 The Executive Committee may call a Special General Meeting with **three weeks'** notice.
- 6.8.2 The Secretary will convene a Special General Meeting at the written request of at least **four** members of the Executive Committee or **ten** registered association members.

## **7. EXECUTIVE COMMITTEE (MANAGEMENT)**

### 7.1 Composition

The Executive Committee consists of a Chairperson, Vice-Chairperson, Secretary, Treasurer and two additional members.

### 7.2 Appointment

- 7.2.1 The Executive Committee is elected at the Annual General Meeting for a period of **ONE** year.
- 7.2.2 The Executive Committee performs its activities up to and including the election of the new management.
- 7.2.3 The Executive Committee fills vacancies, where possible.

### 7.3 Powers and Duties of the Executive Committee

- 7.3.1 Responsible for implementing all decisions made at the Annual General Meeting.
- 7.3.2 Is empowered to appoint subcommittees.
- 7.3.3 Is empowered to co-opt or appoint persons.
- 7.3.4 Can refer any matter to a subcommittee but is not necessarily bound by this committee's recommendations.
- 7.3.5 Is responsible for maintaining discipline and reconciling conflicting views of members and has the right to draw up any rules it may deem necessary.
- 7.3.6 Is empowered to suspend any management member who has been absent from three consecutive meetings without a valid reason or excuse.
- 7.3.7 **Four** members form a quorum. If a quorum is not present, a meeting will be considered adjourned.
- 7.3.8 The Committee will meet every **other** month during the year.
- 7.3.9 Any member may attend the Committee meetings with the permission of the Committee.
- 7.3.10 The Committee is responsible for discussing all requests and problems brought to its attention at the information/feedback meetings.

## **8. FINANCES**

- 8.1 The control over all income and expenditure rests with the Executive Committee.
- 8.2 The Treasurer and Chairperson or Secretary must sign all financial documents on behalf of the Association.
- 8.3 Financial statements will be presented at each committee meeting.
- 8.4 The Treasurer will keep records of all income and expenditure.
- 8.5 Receipts will be issued for all monies received.
- 8.6 The Treasurer will keep a register of any assets and liabilities.
- 8.7 At the end of each financial year (30 Sept), a person who is not a member of the committee will audit the books.
- 8.8 A financial statement will also be presented at the Annual General Meeting.

**9. AMENDMENT OF THE CONSTITUTION**

- 9.1 Amendments/changes to the constitution can be made only when a two-third majority of voting members are present at an Annual General Meeting or at a Special General Meeting.
- 9.2 A proposal by a member to amend or change the constitution must be submitted to the Secretary 30 days before the Annual General Meeting or Special General Meeting.

**10. DISSOLUTION OF ASSOCIATION**

- 10.1 The Association will dissolve if two-thirds of the members present at an Annual General Meeting or Special General Meeting agree to it.

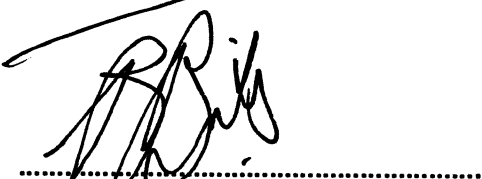
**11. LEGAL LIABILITY**

- 11.1 The Association is a legal entity. The Association can sue an individual or entity and can be sued as an Association. No member of the Association or the Executive Committee can be held responsible for debts or any commitments entered into by the Association.

**12. GENERAL**

- 12.1 Any grievance or complaint regarding matters of the Association must be submitted in writing to the Executive Committee.
- 12.2 In cases of disagreement regarding the interpretation of any rule or regulation, the Executive Committee must decide the matter, and its decision is final.
- 12.3 The Old Oak Ratepayers' Association is subject to all rules and regulations of the Metro and local Municipality.
- 12.4 A maximum of two family members may serve together on a committee.
- 12.5 The Metro/Municipality will be notified of any amendments to the constitution of the Association.

  
 .....  
 CHAIRPERSON

  
 .....  
 SECRETARY

*5 Nov. 2024*  
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 DATE