

GAUTENG PROVINCIAL COMMUNITY POLICE BOARD



CONSTITUTION OF THE GAUTENG COMMUNITY POLICE BOARD (GPCPB)

October 2010 (as amended)

1. PREAMBLE

Be it therefore acknowledged that the Gauteng Provincial Community Police Board (GPCPB) 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 Boards, Sub-District Community Police Boards and Community Police Forums in Gauteng as envisaged by section 18 of the principal Act.

The Provincial Commissioner shall, subject to the directions of the Member of the Executive Council, be responsible for establishing community police forums at police stations in the province which shall be broadly representative of the local community.

Due regard shall be taken of the implications of various legislations, regulations, and government policies. 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 Gauteng Province; and,

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

2. INTRODUCTION

- 2.1 The Board 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 Boards, Community Police Sub-District Boards, Community Police Forums and Community Police Sub-Forums in Gauteng as envisaged by section 18 of the principal Act.

3. DEFINITIONS

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

- 3.1 **“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;
- 3.2 **“Annexure A”** shall mean the annexure relating to the Code of Conduct;
- 3.3 **“Annexure B”** shall mean the annexure relating to “Misconduct”;
- 3.4 **“Annexure C”** shall mean the annexure relating to “Disciplinary Procedures”;
- 3.5 **“Annexure D”** shall mean the election procedures and timelines for elections for the Provincial Board Elections;
- 3.6 **“Annexure E”** shall mean the election procedures and timelines for elections for the Sub-District Board Elections;
- 3.7 **“Annexure F”** shall mean the election procedures and timelines for elections for the CPF Elections;
- 3.8 **“Annexure G”** shall mean the election procedures and timelines for elections for the CPSF/Sector Forum;
- 3.9 **“Annexure H”** shall mean the Regulations for the “Youth”;
- 3.10 **“Annexure I”** shall mean the Regulations for “Membership”;
- 3.11 **“Annexure J”** shall mean the qualifications criteria for “functional” and “efficiency” as defined in this constitution;
- 3.12 **“Annexure K”** Corporate identity criteria usage of the logo;
- 3.13 **“Annexure L”** define and include the hierarchical demarcated District and Sub-District Police Boards and relevant CPF structures within the respective Sub-District Boards and in the respective Sedibeng and West Rand Districts;
- 3.14 **“Annexure M”** shall mean the Terms of Office, process and GP CPB directive when an elected incumbent resigns on any level;
- 3.15 **“Board”** shall mean the Gauteng Provincial Community Police Board (GPCPB);

- 3.16 **“District Board”** shall mean the replacement of the Area Board in terms of the Act, Section 18 to 23 of the same Act and function as defined in this Constitution and Annexure L;
- 3.17 **“Sub-District Board”** shall mean the replacement of the Area Board in terms of the Act, Section 18 to 23 of the same Act and renaming of the former **Cluster Board**;
- 3.18 **“Community”** shall mean all persons in the SAPS precinct (resident, working, moving through the area and property/business owners);
- 3.19 **“Community Patroller”** shall mean as defined in this constitution;
- 3.20 **“Constitution”** shall mean the GPCPB Constitution, including Annexures A, B, C, D, E, F, G, H, I, J, K, L, M - approved/adopted and or amended during an Annual General Meeting or Special General Meeting of the Board. The constitution is overarching to all GP CPB subordinate structures, any conflict of a sub-ordinate constitution will be super ceded by this constitution. Any amendment to this constitution, includes that the subordinate constitutions will automatically be adjusted;
- 3.21 **“Youth Crime Prevention Desk”** – Youth Crime Prevention Desk is a program managed with a focus on the Youth contribution directed at crime reduction/crime prevention as defined in this constitution;
- 3.22 **“CPB”** – shall mean in this constitution the GP Community Police Board at demarcated provincial area and grouping of smaller precinct demarcated areas within the province functioning as an intermediate Sub-District CPB as a coordinating body, the latter as defined by the GP CPB; reference in this constitution to CPB or Board includes Provincial-, District and Sub-District CPB as well as CPF and CPSF as appropriate;
- 3.23 **“CPF”** shall mean the Community Police Forums at the SAPS precinct / station level’, represented by elected, co-opted, assigned and ex-officio members – subordinate to a respective CPB;
- 3.24 **“CPS”** shall mean the Crime Prevention Strategy;
- 3.25 **“CPSF”** shall mean the Community Police Sub-forum subordinate to the CPF at the **SAPS** precinct / station level;
- 3.26 **“Crime Prevention Strategy”** as required in terms of the National Crime Prevention Strategy Document of 22nd May 1996, as amended;
- 3.27 **“District Board”** in this constitution will reflect Sedibeng and West Rand Districts constituted by the respective CPFs as a District and Ekurhuleni, Johannesburg and Tshwane Districts are organised in Sub-Districts as defined in this constitution.
- 3.28 **“Executive Committee”** shall mean the executive committee elected by GPCPB, and subordinate boards/forums respective “executive committees” elected by their respective members;
- 3.29 **“Financial Year”** shall mean the annual period commencing on the 1st April until 31st March of the following year;
- 3.30 **“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 Board;

- 3.31 **“HOD”** shall mean the Head of Department of Community Safety in the province;
- 3.32 **“In good standing”** shall mean a person who enjoys a good reputation in his/her community and is in compliance with the requirements stipulated in this Constitution, and is not in conflict with the law of South African and or not in conflict of interest with the objectives and regulations of this Constitution;
- 3.33 **“Interim Regulations”** shall mean the Interim Regulations of 2001 as promulgated in terms of the Act.
- 3.34 **“MEC”** shall mean the Member of the Executive Council responsible for policing in the province;
- 3.35 **“Meetings”** as defined in this constitution may require attendance in persona and or on an electronic platform;
- 3.36 **“Membership”** shall mean the members representing each Sub-District Board or Sedibeng and West Rand District Boards on the GP CPB as well as membership as defined in this constitution;
- 3.37 **“Posture”** CPB/CPF is a statutory volunteer organisation, non-racial, a-political, and non-sexist in nature.
- 3.38 **“Provincial Commissioner”** shall mean the Provincial Commissioner appointed in term of the SAPS Act, Act 68 of 1995;
- 3.39 **“PSIRA”** shall mean the Private Security Industry Regulatory Act of 2001;
- 3.40 **“Sector Forums”** shall mean the Community Police Sector Forums at each SAPS precinct/station level in terms a SAPS National Instruction;
- 3.41 **“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;
- 3.42 **“VEP”** shall mean the Victim Empowerment Program;
- 3.43 **“White Paper”** shall mean the White Paper of Safety and Security of 2016;
- 3.44 **“Youth”** shall mean the Youth Representative from the youth committee of the Board constituting members up to the age of thirty-five years.

4. NAME AND LOGO

- 4.1 The board will officially be known as the Gauteng Provincial Community Police Board (GPCPB), hereafter referred to as the Board.
- 4.2 The Logo and Letterhead - The Logo shall be seen as:
- 4.2.1 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. As per corporate identity.
- 4.2.2 For the purpose of identification, the name of the Forum or Board shall be added above

the logo (Aloe (circle)), for example:

“FAIRLAND COMMUNITY POLICE FORUM”,

“HONEYDEW COMMUNITY Sub-District BOARD”,

“GAUTENG PROVINCIAL COMMUNITY POLICE BOARD”

and shall be used on all correspondence of the Boards, Forums, and Sector/Sub-Forums. (Annexure K).

- 4.2.3 The Logo should only be used for official Board, Sub-District Board, CPF, CPSF and Sector Forum activities and correspondence.

5. OBJECTIVES

5.1 The Objectives of the Board are the following:

- 5.1.1 To establish, promote and maintain public participation and private partnership between the community and the SAPS in the fight against crime;
- 5.1.2 To promote effective communication and cooperation between the SAPS and the community in fulfillment of policing needs;
- 5.1.3 To improve the transparency and accountability of the SAPS to the Community;
- 5.1.4 To ensure joint problem identification and resolution by the SAPS and the community;
- 5.1.5 To direct, support and develop projects which shall improve the rendering of policing services to the community at provincial, districts, sub-district, station and sector levels;
- 5.1.6 To support and coordinate the programmes of District, Sub-District Community Police Boards, who shall support and co-ordinate the programmes of subordinate CPFs;
- 5.1.7 To consult with and advise the Provincial Commissioner or his or her delegates with regards to all matters pertaining to community policing;
- 5.1.8 The Board shall function within the principles contained in the principal Act, Interim Regulations 2001, and any other act, regulatory and/or policy framework mentioned in this Constitution (as amended).

6. FUNCTIONS

6.1 The functions of the Board are as follows:

- 6.1.1 To promote the accountability of the SAPS to communities and encourage cooperation between communities and the Police Service;
- 6.1.2 To advise the Provincial Commissioner and the Department of Community Safety regarding local policing priorities;
- 6.1.3 To report results of any evaluation regarding service delivery to the community and relevant managers within the service at provincial level;
- 6.1.4 To facilitate the resolution of concerns, problems and complaints from District and Sub-District Boards
- 6.1.5 To inform District and Sub-District Boards and CPFs about activities of the Provincial

Board and engage them in these activities.

- 6.1.6 To promote and monitor the effective management of District and Sub-District Boards and CPF's, in consultation with all relevant sub-ordinate Executive structures;
- 6.1.7 To monitor and request reports on activities of the District and Sub-District Boards and CPF's to ensure/promote the sharing of good practices;
- 6.1.8 To co-ordinate and support the Provincial Commissioner in establishing and sustaining functionally constituted District and Sub-District Boards and to ensure that the respective Board Constitutions are aligned to that of the Provincial Board;
- 6.1.9 To receive and evaluate quarterly reports from District and Sub-District Boards and provide and submit integrated quarterly reports from the Boards to the MEC, the Provincial Commissioner and the National Community Police Board;
- 6.1.10 To participate and inform the relevant provincial legislature committee in their evaluation of the policing services in the province;
- 6.1.11 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 stations in the province;
- 6.1.12 In line with the hierarchical arrangements, the Board shall function and liaise through the District and Sub-District Boards, to CPFs, CPFs to CPSFs and Sector Forums as appropriately required;
- 6.1.13 To develop, approve and amend all Addendums / Regulations, Codes and Policies to regulate and direct Provincial Board Committees, District and Sub-District Boards, District and Sub-District Board Sub-Committees, CPFs, CPSFs, Sector Forums, Programs & Membership - (Government Sectorial Sectors, Youth Crime Prevention Desk, Community Patrollers, Victim Support, GBV, KIOSKs, School Safety, Elderly, Women, LGBTIQA+, Spiritual Leadership, included but not limited to etc), Financial Management, Procurement and Asset Management (inclusive of intellectual property), operational protocols, compliance measures aligned to Promotion of Access to Information Act, 2000 (Act 2 of 2000) and Protection of Personal Information Act, 2013 (No. 4 of 2013), and relevant other community safety projects and programs;
- 6.1.14 To consider, adopt and implement interim and or special regulations to realign and regulate the Board, District and Sub-District Board, CPF and or CPSF to the content of this Constitution at a Special General Meeting or AGM.

7. COMPOSITION OF THE BOARD

- 7.1 The board shall consist of:
 - 7.1.1 The Chairperson from each District (Sedibeng and West Rand) and Sub-District Community Police Boards (within Ekurhuleni, Johannesburg and Tshwane Districts) within the province, elected by the District or Sub District or a person (mandated

- delegate) nominated by the Chairperson from the respective Executive Committee of the respective District or Sub-District Board;
- 7.1.2 The Provincial Commissioner or a Deputy Provincial Commissioner designated by the Provincial Commissioner shall serve on the Board as an Ex Officio member, with no voting rights, unless required to do so, in terms of Clause 12.7 of this Constitution;
- 7.1.3 The Chief or Deputy Chief designated by the respective Municipal Police Head from each of the Gauteng Municipal Councils, with no voting rights, unless required to do so, in Clause 12.7;
- 7.1.4 The Board shall at its discretion invite and co-opt any Head of a Provincial Department or Deputy as designated by the Heads of Department to serve on the Board as an ex-officio member, with no voting rights;
- 7.1.5 The Board shall whenever it is deemed necessary, co-opt any other person(s) to serve on the Board in an advisory capacity, with no voting rights;
- 7.1.6 During the AGM, the Board shall further elect an agreed number of members to handle designated portfolios, as may be determined by the Board with no voting rights;
- 7.1.7 Heads of other Provincial SAPS units shall be invited to participate, with no voting rights.
- 7.1.8 The Board will be required to encourage and monitor the progressive realisation of equal gender representivity at all levels of CPB/CPF structures.

8. ANNUAL GENERAL MEETING

- 8.1 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;
- 8.2 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.

9. TERMS OF OFFICE

- 9.1 The term of office for the respective Boards/CPF/CPSF is determined as follows:
- 9.1.1 Elected Executive members and members of the Board and all sub-ordinate hierarchical structures shall serve for a period of five years.
- 9.1.2 Any interim elected executive members shall serve for the remainder of the period up to the next Elective AGM.
- 9.1.3 It is directed that executive members should not be elected in the same position for more than two terms and should the executive formalises and sustains a succession plan and sharing of intellectual expertise. If capacity doesn't exist – to override this directive.
- 9.1.4 The organisational and hierarchical structure of GP CPB is defined in Annexure L.
- 9.1.5 The Youth Strategy defined by the Provincial Youth Crime Prevention Desk inclusive of

their subordinate District and Sub District structures (aligned to this constitution), must augment and supplement the GP CPB Strategy and be approved and authorised by GP CPB.

- 9.1.6 Terms of Office is augmented by Annexure M;
- 9.1.7 When elected at GP CPB executive and the District / Sub-District / Community Police Board, a Board executive incumbent may need to relinquish one of the positions at the District/ Sub-District/ CPF level (where possible) but could remain so in ex-officio capacity.
- 9.1.8 Board Executive Members Functional Participation on different Levels of Forums / Boards: Ex Officio – CPB/CPF Executive members are ex officio to participate and or attend on any subordinate structure meetings.

10. ELECTION OF THE EXECUTIVE COMMITTEE

- 10.1 The Board shall elect an Executive Committee during the elective AGM, which shall be overseen by the Provincial Commissioner of SAPS or the delegated Deputy Provincial Commissioner and the MEC or the HOD;
- 10.2 The Executive Committee of the Board shall comprise the following office bearers:
 - 10.2.1 Chairperson;
 - 10.2.2 Deputy Chairperson;
 - 10.2.3 Secretary;
 - 10.2.4 Deputy Secretary;
 - 10.2.5 Treasurer;
 - 10.2.6 Public Relations Officer;
 - 10.2.7 Co-opted members with dedicated tasks as and when required by the Board with no voting rights.
- 10.3 Vacancies for any of the above shall be elected at a duly convened Special General Meeting.
- 10.4 Voting at Elective Annual General Meetings and Special General Meetings shall be by ballot paper overseen by the Provincial Commissioner or Deputy Provincial Commissioner and the MEC or the HOD.
- 10.5 The electoral process for the Board shall be sensitive towards gender, race, demographics and geographic representivity. In the event that the democratic process does not result in the adequate representation of both genders, the Board may consider co-opting members, without voting rights, to manage specific tasks, as approved by the Board.
- 10.6 Proxy votes not allowed at all levels.
- 10.7 Special voting arrangements prior to Elective General Meeting may be approved for special circumstances where adopted and screened nominations on CPSF level were

circulated prior to the scheduled meeting.

11. **FUNCTIONING OF THE EXECUTIVE COMMITTEE**

11.1 **Administrative Support:**

11.1.1 The Executive Committee shall have the authority to manage and control the affairs of the Board, including the authority to attend to any matter that could or might be attended to by the Board, 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 Board.

11.1.2 An officer, designated by the Provincial Commissioner of the SAPS, shall be appointed to assist the Executive Committee in the administrative management of the Board.

11.2 **Committee Decisions**

11.2.1 The Executive Committee shall report to the Board on a quarterly basis;

11.2.2 The Board 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 Board Members plus one and supported by more than two thirds of the Board Members in attendance, to elect new Executive members; and

11.2.3 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 Board, 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 Board 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 Board.

11.2.4 All the decisions as determined in Clause 9.2.3 shall be presented at the subsequent Board meeting for ratification or to be condoned.

11.3 **Establishment of sub committees**

11.3.1 The Board 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.

11.3.2 Regulations and Policies to regulate all sub-committees established in terms of Clause shall be promulgated by the Board in terms of Clause 4.13 of this Constitution.

11.4 **Financial Management and Income Tax Exemption**

11.4.1 The Board may receive income from both public and private entities. Pursuant to that the Board needs to follow the Public Finance Management Act, Act 1 of 1999, the Non-profit Organisation Act, Act 71 of 1997, the Companies Act, Act

71 of 2008 and Interim Regulations of 2001, Section 12.

11.4.2 The Board may be required to register a separate organisation to qualify for tax exemption in terms of the Income Tax Act.

11.4.3 In order to ensure transparency and accountability the Board shall implement and sustain Generally Accepted Accounting Practices and Principles.

11.5 The Executive Committee shall:

11.5.1 At the conclusion of each financial year, provide all the financial records of the Board to be certified in accordance with Generally Accepted Recordkeeping Practices and as a true reflection of the income, expenditure, assets and liabilities of the Board 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).

11.5.2 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.

11.5.3 At no time shall the financial affairs of the Board be or be capable of being controlled by any one single person, the Board shall ensure to appoint a Financial Committee to meet the compliance requirements with all financial management provisions in in the constitution (electronic management);

11.5.4 Ensure that save for reasonable professional fees for bona fide services rendered to the Board, members and/or their relatives do not derive any benefit from the funds of the Board whatsoever, other than what has been formally approved by the Board.

11.5.5 Ensure that all Board property, whether moveable or immovable, is registered in the name of the Gauteng Provincial Community Policing Board and is administered solely for the purpose and furtherance of its objectives and principles.

11.5.6 Under no circumstances, permit any or participate in any speculative financial transactions with Board assets, without the approval of the Board.

11.5.7 Institute, conduct, defend, oppose, settle or abandon any legal proceedings by or against the Board or otherwise concerning the affairs of the Board and also to settle a and allow time for payment in satisfaction of any debt or obligations due and/or any claims and demands by or against the Board.

11.5.8 Invest, re-invest and deal with any monies of the Board not immediately required for the purposes of the Board, upon such securities and on such terms as the Board 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).

11.5.9 Sell, lease, alienate or otherwise dispose of the moveable or immoveable property of the Board, as it deems beneficial to the Board and to apply the consideration arising there from pursuant to the objectives of the Board.

11.5.10 The Board will be required to promulgate and sustain regulations in the procurement and management of all financial transactions of the Board (inclusive of property management – movable, immovable and intellectual property) – and regulations in compliance to POPIA as well as to separate procurement and financial management.

11.5.11 The Board will be required to promulgate and sustain regulations to manage, account (AGM) and sustain all Board/Forum assets.

11.5.12 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 Board.

11.6 Removal from office

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

11.6.1.1 Resigns his or her office by notice in writing to and by acceptance by the Board and the Board is satisfied that all relevant information and responsibilities have been duly handed over to the Board and/or successor.

11.6.1.2 Is convicted of a criminal offence while in office;

11.6.1.3 Is absent from three (3) consecutive meetings of the Executive Committee without just, or reasonable cause given to the Executive Committee.

11.6.1.4 The Executive Committee shall have the right to co-opt any member of the Board 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).

11.6.1.5 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; and

11.6.1.6 The removal of an Executive Committee member from office in terms of the above provision (11.6.1.5) shall be possible only if at least two thirds of the members of the Board in attendance vote in favor of it.

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

- 12.1 The Board 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.
- 12.2 The Board is and will be a juristic person and can act and be acted against in its own name.
- 12.3 The property and funds of the Board vest in the Board as a juristic person and no member of the Board will be liable for the debts of the Board.
- 12.4 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.
- 12.5 Any act or deed carried out by any member of the Board or the Executive Committee 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:
- 12.5.1 In a grossly negligent manner.
 - 12.5.2 Outside the power conferred upon such person or individual or body under the constitution, or,
 - 12.5.3 Outside of such powers, as has been determined by the Board either in a meeting of the Executive Committee, Annual General Meeting or Special General Meeting.

13. **DUTIES OF OFFICE BEARERS**

13.1 **The Chairperson must:**

- 13.1.1 Preside over meetings of the board;
- 13.1.2 Ensure the execution of all decisions of the Executive Committee and the Board;
- 13.1.3 Represent the Board as and when it is necessary;
- 13.1.4 Report regularly on the functioning of the Board to the Provincial Commissioner and the MEC and provide feedback and directives to the Board;
- 13.1.5 Submit reports reflective of the activities or the work of the Board; and,
- 13.1.6 Supervise all work of the Board in conformity with the constitution, the relevant legislation and procedures agreed upon by the Board.

13.2 **The Deputy Chairperson must:**

- 13.2.1 In the absence of the Chairperson, act as the chairperson;

13.2.2 The deputy chairperson shall, in conjunction with the Treasurer, ensure that the funds of the Board are administered in accordance with the policy of the Board, prepare and circulate the annual report of the activities of the Board which will include the audited finance 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 Board;

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.

13.3.5 Perform official administrative functions normally associated with the office of the secretary; and,

13.3.6 Further the interests of the Board, as directed by the Executive Committee.

13.4 The Deputy Secretary must:

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

13.4.2 Together with the PRO develop and manage the public relations of the Board.

13.5 The Treasurer must:

13.5.1 Be responsible for the finances of the Board and ensure strict compliance with generally accepted accounting procedures in accordance with Clauses of this Constitution;

13.5.2 Together with another designated member of the Board, operate a banking account on behalf of the Board;

13.5.3 Keep books of account and other records necessary to clearly reflect the financial position of the Board; and,

12.6.3 Table a financial report at every general meeting of the Board and Annual Financial Report and Budget for the subsequent year at every Annual General Meeting.

12.7 The Public Relations officer must:

12.7.3 Act as liaison between the Board and the media;

12.7.4 Promote cooperation between the Board and the community; and,

12.7.5 Promote awareness of community policing.

13. DECISION MAKING PROCEDURES

13.1 Each member of the Board shall be entitled to a single vote as stipulated in Clause 5 of this Constitution.

13.2 The Board shall, as far as reasonably possible, reach decisions by consensus. If consensus cannot be achieved, the Board shall vote on the matter.

- 13.3 The chairperson has a deliberative vote and shall cast a deciding vote, when there is an equal number of votes on each side of the question.
- 13.4 Voting during Elective Annual General Meetings and Elective Special General Meetings shall be by ballot paper, overseen by the Provincial Commissioner or Deputy Provincial Commissioner and the MEC or the HOD.
- 13.5 The outgoing Executive Committee shall have no voting rights at an Elective AGM or Special General Meeting unless they are representing a District or Sub-District Board.
- 13.6 Voting at Annual General Meetings, Special General meetings and Board meetings shall be by ballot paper, unless requested by more than 50% of the members in attendance for a show of hands.
- 13.7 In the event of an equal vote for the position of Chairperson of the Board, at an Elective AGM or Special General Meeting, the members representing the District / Sub-District Boards, shall be requested by the electoral officer for a revote. In the event that the recount is still even between the candidates, then the Provincial Commissioner or Deputy Provincial Commissioner and MEC or the HOD for shall be requested to arbitrate between the candidates and resolve the impasse in whichever way they consider.
- 13.8 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.

14. **RECORD MANAGEMENT**

- 14.1 The Secretary shall cause:
 - 14.1.3 A record to be kept of the members of the Executive Committee present at any meeting, and minutes to be kept of all resolutions and proceedings at such meetings;
 - 14.1.4 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, shall be prima facie evidence of the matters therein stated; and,
 - 14.1.5 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 Board's next meeting.
- 14.2 The Treasurer shall cause:
 - 14.2.3 Financial recording and archiving for a period of at least five financial years to the end of the financial reporting period **from the date on which the** business relationship is terminated.

14.2.4 Transaction: The records in respect of the single transaction must be kept for at least 5 years from the date on which the transaction is concluded to the end of the financial reporting period.

15. MEETINGS OF THE BOARD

- 15.1 The Executive Committee shall meet at least once a month.
- 15.2 The Board shall meet once each quarter or as determined by the Board.
- 15.3 The Board shall determine its own procedures and shall conduct its meetings with equality of opportunity and fairness.
- 15.4 The members of the Executive Committee and District / Sub-District Board chairpersons must attend the Board meetings.
- 15.5 Apart from the persons mentioned at sub-paragraph 14.4 above, the Board may extend invitations to any internal or external role player to attend the annual general meeting.
- 15.6 The Board may once a year convene a broad Board meeting where the executive committees of all the District / Sub-District Community Police Boards also attend.
- 15.7 The Board may also once a year convene an extended broader Board meeting where the chairpersons of all the Community Police Forums also attend.
- 15.8 Minutes and other documents of meetings must be distributed within 21 working days after the respective meeting.
- 15.9 A Year planner for all meetings should be presented, approved and circulated to all Members of the Board at the last meeting of the Board of the preceding year.
- 15.10 The Executive Committee shall present an integrated Strategic Plan for the Board for adoption for the next financial year at the last meeting of the Board of the preceding year
- 15.11 When a newly elected Executive Committee succeeds they shall be required to amend and or ratify the Strategic Plan at the first Board Meeting after the Elective AGM or Special General Meeting.
- 15.12 The Chairperson of the Board shall convene a special Board meeting when requested by at least fifty per cent (50%) of the membership of the Board and the notice for such meeting must include an agenda indicating the items to be discussed.
- 15.13 The Board may also convene, as and when required, extended broader Board meeting(s) per district in Gauteng where the chairpersons of the Sub-District and Chairpersons of all the respective Community Police Forums with their Station Commanders also attend. The Sub-District chairpersons will chair in rotation these meetings.

16. NOTICE OF MEETINGS

- 16.1 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.

- 16.2 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.
- 16.3 The secretary shall in writing, give notice to all members, for a Special Meeting called for by the MEC and or Provincial Commissioner, at least 14 days prior to the date of the meeting. The notice shall include the agenda for such special meeting and the purpose.

17. **QUORUM**

- 17.1 During all meetings of the Board, a quorum will be constituted by the presence of fifty per cent (50%) of the members of the Board, plus one.
- 17.2 Should the Board 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.

18. **CORRESPONDENCE**

- 18.1 All documents and correspondence on behalf of the Board shall be signed by the secretary or deputy secretary or a person duly authorized by the Board.
- 18.2 Notwithstanding the diversity of languages in the Republic of South Africa, English, where appropriate, shall be the medium of communication.

19. **CODE OF CONDUCT AND DISCIPLINARY PROCEDURES**

- 19.1 The Board shall adopt a code of conduct and disciplinary procedures which shall become annexures to this Constitution.
- 19.2 All Board members shall undergo a security clearance, which shall be carried out by the Local Criminal Records Centre (LCRC).

20. **DISPUTE RESOLUTION**

- 20.1 The resolution of disputes relating to the Board, which cannot be resolved by the Provincial Commissioner in consultation with the MEC, shall be dealt with in terms of paragraph 14 (3) of the Interim Regulations, 2001.

21. **DISSOLUTION OF THE BOARD/CPF**

- 21.1 The Provincial Commissioner shall, in consultation with the MEC, dissolve the Board,

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 Board.

- 21.2 In the event of the Board being dissolved in terms of clause 20.1, above, the statutory interim structure shall manage the assets and liabilities of the Board.
- 21.3 Similarly, the dissolution of a District/Sub-District Board, and or any other sub-fora shall be confirmed by the Provincial Commissioner in consultation with the MEC for Community Safety and the relevant District Commander or Station Commissioner and the relevant superior Executive of the community police board/forum.
- 21.4 The Board may request the Provincial Commissioner in consultation with the MEC for Community Safety for the dissolution of any sub-ordinate structures that are not functional.
- 21.5 Any Board or CPF Executive that does not meet the acceptable quorum of 50% plus one, in terms of filled portfolios, shall be deemed to be under administration of the higher level, to facilitate the election of the vacant positions. Thereafter to be dissolved if all efforts have been exhausted within ninety days.

22. AMENDMENTS TO THE CONSTITUTION

- 22.1 The constitution of the Board can only be amended during an Annual General Meeting or Special General Meeting;
- 22.2 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; and,
- 22.3 The Constitution can only be amended by a two-thirds majority of the required quorum for an AGM.

23. ELIGIBILITY TO BE IN THE EXECUTIVE OF THE BOARD

- 23.1 All CPF members resident and/or employed in Gauteng and in good standing (not specifically excluded in terms of this Constitution and or members who qualify and have applied for expungement of their criminal record in terms of (Section 271 B (1) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), shall be eligible to be voted into the Executive of the Board/CPF/CPSF.
- 23.2 The following persons shall not hold elected positions in the Board:
 - 23.2.1 Serving employees of SAPS, as regulated in the SAPS Act as amended (including the employees of Metro Police Departments), employees and or temporary employees of both the National and Provincial Secretariats for Police Services/DCS, employees of the Independent Police Investigative Department, SAPS Reservists, unless required in an ex-officio capacity;
 - 23.2.2 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;

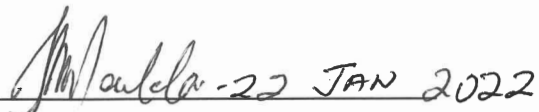
- 23.2.3 Owners and employees of private security companies as regulated by the PSIRA, unless required in ex-officio capacity;
- 23.2.4 Persons who are not citizens of the Republic of South Africa, except for those non-citizens that hold permanent residence, in terms of the Immigration Act 13 of 2002;
- 23.2.5 Persons under the age of 18 years, unless representing an elected CPF youth desk committee.
- 23.2.6 Persons holding elected political positions in registered political parties on party level or as independent representatives with responsibilities in public office or with Executive responsibilities in a registered political party and or occupies a political position in public office, with a proviso that a Ward Councilor will be coopted ex-officio only on CPF or CPSF level; no individual current elected CPB or CPF or CPSF executive member will retain the said executive position from announcement as a public candidate for any local, provincial. national government election, until announcement of the winning candidates – thus requesting to gracefully vacate the position for this period. If a candidate is elected for national, provincial, local government, his or her former CPB/CPF/CPSF position will be automatically vacated and a successor to be identified, nominated, and elected within a period less than 90 days. With the proportional representation - voters vote for a political party, not individuals - the political party then gets a share of seats in Parliament/Provincial Legislator/ Local Government in direct proportion to the number of votes it got in the election. Each party then decides on members to fill the seats it has won. Members listed as proportional representation candidates thus not evacuate their positions and are excluded as they not in person stand to be voted for. If the CPB/CPF/CPSF/Committee Executive Member on the Proportionate Representation List is then after election results appointed as a political representative, he/she immediately vacate the CPB/CPF executive position. If the candidate fails in the election – the candidate may start afresh in the democratic process to participate on CPB/CPF/CPSF level and continue in an a-political posture as specified in 23.2.7 after a cooling down period of one years.
- 23.2.7 All candidates and or any individuals elected at a political party management (any executive level – ward, provincial, national) as an executive member may only after vacating the executive position, or a candidate who failed to be elected in political positions on any of the levels (ward, provincial, national) may only participate in CPB/CPF activities after a cooling down period of 1 calendar

year.

23.2.8 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.

24. APPROVAL OF THE CONSTITUTION

24.1 This amended Constitution, including all Annexures and Regulations approved by the Board, is duly adopted at Johannesburg on this, the 22nd day of January 2022.

 - 22 JAN 2022

Chairperson of the GPCPB

Date: 14th May 2016 / 2nd October 2021 / 20th November 2021 / 22 January 2022

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 Oct 2021 – Constitution amended & Accepted
Rev 5 Nov 2021 - Constitution amended & Accepted
Rev 6 January 2022 - Constitution amended & Accepted

ANNEXURE A

CODE OF CONDUCT

1. Members of the Board and all its structures shall not promote any political party policies when dealing with Board 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 Board or SAPS logo or emblem for personal or private gain.
4. Members of the SAPS working with the Board 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 Board to perform its function, do so without fail.
5. Members of the Board shall agree to have their fingerprints taken for the purpose of security clearance.
6. Members of the Board 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. Board members and members of the Service shall not be actively involved in Board and CPF matters whilst under the influence of liquor, drugs and all other illegal intoxicating substances.
9. Members of the Board and Service shall not abuse their positions to bring the Board and its sub structures into disrepute.
10. Members of the Executive must hand over all records and assets of the respective CPF or Board 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. Members of the board/CPF are not allowed to be a member of an entity which manages their objectives in conflict of interest to that of the Board/CPF.
13. 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 Gauteng Provincial Community Police Board;
2. Disclosing confidential information of the Board to the public, individuals or institutions without the prior written consent of the Executive.
3. Refusal to carry out instructions of the Board or any office bearer acting on behalf of the Board.
4. Drinking liquor and being under the influence of liquor or any intoxicating substance whilst performing duties of the CPF.
5. Acting in a manner that exposes the Board members to a dangerous environment and or criminals.
6. Intentionally disregarding the constitution and direction provided by leadership of the Board.
7. Acts for other group and / or person who seek to disrupt the activities of the Board/Forum or prevent it from fulfilling its set Aims and Objectives.
8. Theft, fraud, insults or use of inappropriate language against members of the CPF and the Community.
9. Refusal to execute tasks enabling the Board to function efficiently and effectively.
10. Acting in a manner that disrupts the activities, programmes and projects of the CPF.
11. Using the Board to advance personal and political interests.
12. Using membership of the Board to promote personal financial gain
13. Any member charged by SAPS for any **serious crime** shall be suspended until the outcome of the investigation and or court finding. Only the Board shall have discretion if representation is made by the member accused of such serious 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 Board/Forum in to disrepute, including but not restricted 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.

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 Board.
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, one member of the forum or board 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 Disciplinary Committee 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 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.
10. Any subordinate hearing, where an appeal is lodged, the GP CPB Executive will appoint an appeal committee who may establish own procedures (aligned to common law) and who's decision and jurisdiction will be final.

10. 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

ANNEXURE D

REGULATIONS AND TIMELINES FOR THE PROVINCIAL BOARD ELECTIONS unless

1. The Provincial Board elections in terms of Clauses 5, Clause 6, Clause 7, Clause 8 and Clause 9 of the Constitution of the Board shall be completed before the end of September at the end of the term of the Provincial Board.
2. The Elections shall be held before the end of September in the year, at the end of the term of office of the Provincial Board.
3. Elections at Board level shall be directed by the Provincial Commissioner, in terms of the SAPS Act , Act 68 of 1995.
4. At Provincial Board level, the elections shall be overseen, by the Provincial Commissioner or the delegated Deputy Provincial Commissioner and the MEC or the H.O.D of Community Safety.
5. The membership that can participate at elections at Board level are the District/Sub-District Chairpersons or duly authorized member of the respective District/Sub-District Board appointed by the Chairperson of the respective District/Sub-District Board.
6. Each District/Sub-District Board member present shall have one single vote.
7. Nominations for all positions shall be requested by the presiding officer and shall be submitted in writing by both a proposer and a seconder. The nominee shall declare his or her acceptance for the position nominated.
8. Nominees shall be resident in the province of Gauteng and shall have the responsibility to provide a security clearance at the elections, taking due cognizance of Clause 22 of the Constitution of the Board
9. The membership shall cast their vote by ballot paper.
10. The presiding officer with the assistance from the Provincial Commissioner or the Deputy Provincial Commissioner and the MEC or H.O.D of Community Safety shall announce the appointees with the highest vote.
11. The newly elected Executive shall hold an Executive Meeting within the first 14 days to perform their duties and responsibilities in terms of Constitution, with special reference to Clauses 11, 12, 13, 14, and 15.
12. The Board will ensure that all District/Sub-District Board Elections at District/Sub-District level shall be completed before the end of September in the same year before the end of the term of the Provincial Board.
13. The District/Sub-District Boards will ensure that all CPF Elections at precinct level shall be completed before the end of July in the same year before the end of the term of the Provincial Board.
14. The CPFs will ensure that all Sector and Sub-sector Forums at precinct level shall be completed before the end of June in the same year before the end of the term of the Provincial Board.

ANNEXURE E

REGULATIONS FOR ELECTION PROCEDURE AND TIMELINES FOR ELECTIONS in terms of Clause 4.13 of the GPCPB Constitution for District/Sub-District **BOARDS**

1. The Cluster Board elections shall be aligned to Clauses 5, Clause 6, Clause 7, Clause 8 and Clause 9 of the Constitution of the Board.
2. The Elections shall be held before the end of August in the year, coinciding with the end of the term of office of the Provincial Board.
3. Elections at District/Sub-District Board level shall be directed on behalf of the Provincial Commissioner, by the District SAPS Commander or the Deputy of the District Commander as nominated by the District Commander.
4. At District/Sub-District Board level, the elections shall be overseen by the SAPS Commander or delegate District/Sub-District a member of the Provincial Board, as appointed by the Provincial Executive Board and a representative of the H.O.D of Community Safety.
5. The membership that can participate at elections at District/Sub-District Board level are the CPF Chairpersons in the District/Sub-District or a duly authorized member of the respective CPF Executive as appointed by the respective Chairperson – said CPF to be in compliance to the constitution and prior to the meeting conducted their own Elective General meeting.
6. Each District/Sub-District Board member present shall have one single vote.
7. Nominations for all positions shall be requested by the presiding officer.
8. Nominees shall be resident, or employed in the District/Sub-District precinct in the province of Gauteng and shall have the responsibility to provide a security clearance at the elections, taking due cognizance of Clause 22 of the Constitution of the Board.
9. Each nominee shall have a proposer and a seconder. The nominee shall declare his or her acceptance for the position nominated.
10. The membership shall cast their vote by ballot paper.
11. The presiding officer with assistance from the District/Sub-District Commander, a Provincial Board member and the representative of the H.O.D of Community Safety shall announce the appointees with the highest vote.
12. The District/Sub-District Board will meet at least every two months or whenever required to do so.
13. The District/Sub-District Board will ensure that all CPF Elections at precinct level shall be completed before the end of July at the end of the term of the Provincial Board.

ANNEXURE F

REGULATIONS FOR ELECTION PROCEDURE AND TIMELINES FOR ELECTIONS

in terms of Clause 4.13 of the GPCPB Constitution for **COMMUNITY POLICE FORUMS**

1. The CPF elections shall be aligned to Clauses 5, Clause 6, Clause 7, Clause 8 and Clause 9 of the Constitution of the Board.
2. The Elections shall be held before the end of July in the year, coinciding with the end of the term of office of the Provincial Board.
3. Elections at CPF level shall be directed on behalf of the Provincial Commissioner, by the Station Commissioner
4. At CPF level, the elections shall be overseen, by the Station Commissioner, the representative of the District/Sub-District Board and the representative of the H.O.D of Community Safety.
5. Members of the community in the precinct of the respective police station can participate at the elections at CPF level. Each member over the age of 18 years has one single vote.
6. The meeting shall decide on the number of additional members to be elected to the CPF, taking into consideration that each Sector already has two members elected to the CPF and that a minimum of seven additional members need to be elected at this meeting.
7. In some areas, there may have functional CPSFs and Sub-sector forums, which would require some relevant deviations to ensure representivity. Such deviation must be supported by the Station Commissioner and the CPF and to be approved by the District/Sub-District Board. An equal number of electorates from the respective community from each CPSF more than the number of CPSF Executive Portfolios with the respective CPSF Executive will form the electorate of the CPF Executive Election.
8. Nominations for additional members to the CPF shall be requested by the presiding officer.
9. Executive members on CPF level should not be elected in the same position/anyone of first six positions (see par 8.2) at two levels in sequence of the CPF/CPSF hierarchy, require sustaining membership at the lower hierarchical levels, in ex officio capacity.
10. Nominees shall be resident or employed in the respective station policing precinct in the province of Gauteng and shall have the responsibility to provide a security clearance at the elections, taking due cognizance of Clause 22 of the Constitution of the Board.
11. Each nominee shall have a proposer and a seconder.
12. If more than the required number of additional members have been nominated, then the presiding officer shall prepare a ballot paper with the names of the members duly nominated.
13. The community members shall cast their votes for the number of additional members agreed upon.
14. The presiding officer with the assistance from the Station Commissioner, the representative of the District/Sub-District Board and the representative of the H.O.D of Community Safety shall announce the appointees with the highest vote.
15. The Community meeting will be adjourned, and the additional members duly elected and the

Sector Forum Chairpersons and one member from each of the Sector Forum Executives will constitute the CPF.

15. Elections of the CPF Executive Committee – where no CPSF exist

- 15.1 The CPF shall meet immediately after the Community meeting but preferably not later than 7 working days for the elections of the Executive Committee of the CPF.
- 15.2 The CPF elections shall be aligned to Clauses 5, Clause 6, Clause 7, Clause 8 and Clause 9 of the Constitution of the Board.
- 15.3 The presiding officer will inform the CPF of the Executive positions.
- 15.4 All CPF members present will be eligible to be nominated for any of the Executive positions.
- 15.5 Nominees shall be resident, or employed in the respective police precinct and shall have the responsibility to provide a security clearance at the elections, taking due cognizance of Clause 22 of the Constitution of the Board.
- 15.6 Each CPF member present shall have one single vote.
- 15.7 The presiding officer will call for nominations for each of the Executive positions.
- 15.8 Each nominee shall have a proposer and a seconder and the nominee will declare his or her acceptance for the position nominated.
- 15.9 The membership shall cast their vote by ballot paper.
- 15.10 The presiding officer with the assistance from the Station Commissioner, a District/Sub-District Board member and the representative of the H.O.D of Community Safety shall announce the appointees with the highest vote.
- 15.11 The CPF will ensure that all Sector Forum Elections at sector level in each respective precinct or station level shall be completed before the end of June of the year coinciding with the end of the term of the Provincial Board.

ANNEXURE G

REGULATIONS FOR ELECTION PROCEDURE AND TIMELINES FOR ELECTIONS

in terms of Clause 4.13 of the GPCPB Constitution for **SECTOR FORUMS**

1. The Sector Forum elections shall be aligned to Clauses 5, Clause 6, Clause 7, Clause 8 and Clause 9 of the Constitution of the Board.
2. The Elections shall be held before the end of June in the year, coinciding with the end of the term of office of the Provincial Board.
3. Elections at Sector level shall be directed on behalf of the Provincial Commissioner, by the Station Commissioner.
4. At Sector level, the elections shall be overseen, by the Station Commissioner, the representative of the respective CPF and the representative of the H.O.D of Community Safety.
5. Members of the community in the sector of the precinct of the respective police station can participate at the elections at CPF level. Each member over the age of 18 years has one single vote.
6. The meeting will elect the Executive Committee for the Sector.
7. Nominations for the Executive positions for the Sector Forum shall be requested by the presiding officer, in writing by both a proposer and a seconder including a letter of acceptance by the nominated individual.
8. Nominees shall be resident, or employed in the sector of the precinct of the respective police station and shall have the responsibility to provide a security clearance at the elections, taking due cognizance of Clause 22 of the Constitution of the Board.
9. Each nominee shall have a proposer and a seconder
10. If more than the required number of additional members have been nominated than the presiding officer shall prepare a ballot paper with the names of the members duly nominated.
11. The community members shall cast their votes. They will have one vote for each of the Executive positions.
12. The presiding officer with the assistance from the Station Commissioner, the representative of the CPF and the representative of the H.O.D of Community Safety shall announce the appointees with the highest vote.
13. The Sector Executive Committee will ensure that a sector community meeting will be held monthly to inform the community of the challenges and develop appropriate strategies in preventing crime.
14. The Sector Forum will be entitled to generate and raise funding for their own sector activities, including opening their own bank account, with the proviso that they account to the Treasurer of their respective CPF to ensure accountability at a CPF level.
15. Bank Charges will be equitably and proportionately charged to each sector, unless if CPSF opt to have their own banking accounts.
16. . The Community meeting will then be adjourned.

Annexure – H

Regulations for “Youth” in terms of Clause 4.13 of the GPCPB Constitution”

In terms of the Clause for Definitions in the approved GPCPB Constitution, “Youth “ shall mean the Youth Representative from the youth committee of the Board constituting members up to the age of thirty five years;”

1. In terms of Section 18 (1) of the Police Act No 68 of 1995 Read with the provisions of Section 215 of the Constitution of the Republic of South Africa and the interim Regulations the structures of the Community Police Forums are tasked with the responsibility to improving the communications between the community and SAPS.
2. At the CPF level the Youth Committee Desk will liaise with the youth in the local precinct to understand the socio-economic challenges for the youth and to mitigate the factors that contribute to both crime and criminality through social crime prevention initiatives and or programmes. These initiatives will assist in addressing many of the related challenges, such as social integration and cohesion, substance abuse, moral regeneration and job creation, providing leadership programmes that will create clear vision into the future. Youth have an important role as future leadership in driving change, creating hope and sustaining the principles of social cohesion, empathy and ubuntu in our young democracy.
3. The Youth Desk Structures shall fall under the direct control and authority and reporting lines of the GPCPB, at District/Sub-District level under the District/Sub-District Community Police Board and at station level under the precinct CPF and at sector level under the sector CPSF.
4. The Youth Desk shall be represented on the GPCPB by having a Youth Desk representative on the GPCPB, District/Sub-District Board and station precinct CPF.
5. In line with the above it implies that there shall be a Youth Committee or Youth Desk at all levels of the GPCPB.
6. The Youth Desk at CPF will elect a Chairperson, a Secretary and Treasurer. The Chairperson of the Youth Committee will be a full member of the local CPF.
7. At all levels of the GPCPB the Youth Desk shall be a bona-fide sub-forum, and their membership shall abide by the regulatory framework and constitution of the GPCPB and subordinate boards and forums, including the aspects of governance, administration, financial pre-requisites and the Code of Conduct.
8. The Chairpersons of the Youth Desk in the District/Sub-District will form a District/Sub-District Youth Committee at District/Sub-District level. They shall elect a Chairperson, a Secretary and a Treasurer. The Chairperson of the District/Sub-District Youth Committee shall be an ex-officio member of the District/Sub-District Board.
9. The Chairpersons of the Youth Committee or Youth Desks at District/Sub-District level shall constitute a Provincial Sub-committee or Youth Desk. They shall elect a

Chairperson, Secretary and a Treasurer. The Chairperson of the provincial committee or Youth Desk shall be an ex-officio member of the GPCPB.

10. The Youth Desk shall relate to the office of the MEC through its representatives on the GPCPB/ District/Sub-District CPB/Station CPFs.
11. All the activities of the Youth Committee or Youth Desk in conjunction with the Department of Community Safety will be tabled at the appropriate level, so that these may be reported and evaluated at each respective level of the GPCPB, to ensure that they are incorporated with each of the respective Community Safety Plans and aligned with the SAPS Crime Prevention Plans.
12. All Finances of the Youth Desk shall form part of, go through the banking account of and be audited with the respective CPF structures under which they serve. No Youth Desk shall be entitled to operate its own separate banking account notwithstanding the fact that each Youth Desk shall have a Treasurer.
13. The Youth Committee shall provide reports to the respective CPB, CPF and CPSF with regard to their activities and shall conform to the directives of the CPB/CPF/CPSF Executive and forum.
14. The Youth Committee or Youth Desk at the District/Sub-District level will co-ordinate the activities of the Youth Committee or Youth Desks in the respective District/Sub-District and provide a collective report on the activities and challenges they are faced with, within the District/Sub-District.
15. The Youth Committee or Youth Desk at the Provincial level will provide a consolidated report to the Executive of the GPCPB to be tabled by the Chairperson of the Youth Desk or Committee, with regard to their activities and challenges in the province.

Annexure – I

Regulations in terms of Membership in terms of Clause 1 “Definition of Membership” of the GPCPB Constitution

1. GP CPB

GP CPB Members are defined in Clause 5 of the Constitution with voting rights and representatives as indicated Ex Officio without voting rights and or coopted members without voting rights. The elected Executive Members, the Constituted CPB District/Sub-District Boards represented by the Chairperson or mandated delegate per District/Sub-District Board has one vote each at Board Meetings. During the elective general meeting the respective District/Sub-District Chairpersons or mandated representative – one person per District/Sub-District will be eligible to vote.

2. District/Sub-District CPB

GP CPB Members are defined in Clause 5 of the Constitution with voting rights and representatives as indicated Ex Officio without voting rights and or coopted members without voting rights. The District/Sub-District CPB Members is constituted by the Constituted CPF Chairpersons or the Chairpersons delegates of each precinct in the District/Sub-District. Each CPF representative, one per precinct will form the electorate and each with one vote.

A member (CPF) may avail a functional member to participate as an ex-officio member on a committee or program without voting rights.

3. CPF

All Community Members resident, working, moving through or owns property in a SAPS Precinct are entitled to be served.

CPF Community Members registered as bona fide residents (domicilium citandi) and or permanent working (domicilium executandi) in the SAPS precinct, are regarded as Community Members with voting rights.

CPF Registered Community Members to avail themselves for election needs to conduct a security screening process prior to election and to comply to the requirements in this constitution.

CPFs without CPSF will define an equal number or more than the respective CPSF portfolios of community members to be identified and delegated to represent the CPSF at the CPF meeting with a mandate to vote.

4. CPSF

All Community Members resident, working, moving through or owns property in a SAPS Precinct are entitled to be served.

CPSF Community Members registered as bona fide residents (domicilium citandi) and or permanent working (domicilium executandi) in the SAPS CPSF area, are regarded as Community Members with voting rights.

Community Patrollers –

Volunteer Community Members resident in the CPSF area within the respective SAPS precinct may apply to be security screened/vetted, administrated (subordinate to CPF/caps constitution, code of conduct and patroller regulations), trained and operationally deployed after qualified as a community patroller in the respective area and in compliance to the SAPS Community in Blue Concept and philosophy.

The community policing philosophy is an approach that focuses on police establishing partnerships and enhancing working relations with members of the communities. The philosophy requires police to inherit a proactive approach to address public safety concerns. Integrated in the Community Policing Philosophy, is the concept of Sector Policing. Sector Policing is the division of the policing area into smaller manageable sectors. It involves the assignment of police officers to a particular sector which encourages regular patrol and increased contact with members of local communities.

The National Commissioner of the South African Police Service, has emphasised the importance of involving the community in safety and policing related matters, especially the community patrollers, hence the concept "Community in Blue" emerged. The Community in Blue Concept is in line with the implementation of community policing approach and the National Development Plan, 2030 which states that achieving long-term sustainable safety requires an integrated approach focused on tackling fundamental causes of criminality which requires a wider range of resources, active citizenry and co-responsibility.

Community Patrollers may be deployed within identified and approved government programs i.e. School Safety and within the Dept of Public Works Expanded Public Works Programme (EPWP) is one of the many programmes offered by the Western Cape Government and the National Department of Public Works. The EPWP aims **to provide poverty and income relief through temporary work for the unemployed** to carry out socially useful activities at the EPWP, as well as in the Dept Community Safety Gauteng Programs.

Annexure – J

CRITERIA FOR “FUNCTIONAL” AND “EFFICIENCY” AS DEFINED IN THIS CONSTITUTION

1. A Board and or a Forum will be regarded as functional in compliance to this constitution if the entity has –
 - a. An adopted Sub-ordinate Constitution aligned to this Constitution and not in conflict;
 - b. The Executive Members elected and aligned minimum to Section 8.2;
 - c. Formulated and implemented a Safety Plan – aligned to Urban and Rural Safety criteria respectively (as appropriate);
 - d. Monthly convene Executive Meetings/Scheduled Committee Meetings and in terms of the respective Forums also a monthly community meeting;
 - e. SAPS Station Commander, VISPOL Head, Detective Head, respective Sector Commanders, Metro attendance to all respective community forum meetings;
 - f. A partnership is transparent between SAPS Management and CPB/CPF Executive
 - g. Frequent and open communication between role players exist;
 - h. Transparency of joint problem solving;
 - i. Conduct of oversight is transparent;
 - j. Percentage of community is organised, participative, representative in respective areas;
2. Efficiency to be measured in terms of:
 - a. Frequency of review and improvement on Safety Plans;
 - b. To what extend problem solving succeeds;
 - c. To what extend preventative measures reduced crime;
 - d. To what extend Social Crime Prevention Programmes implemented with transparent results.
 - e. To what extend safety plan and programmes are supported, participative and or funded by GP Community Safety, Government Departments and Local Government.
 - f. Application and sustainment of Urban and Rural Safety Strategies and Plans.

SPECIAL RESOLUTION IN RESPECT OF EXTENDED TERM OF OFFICE

- 1. During meeting Feb 2021 Special General Board Meeting decided to postpone the elections due to COVID impact and disarrangement of many CPFs to a meeting to be scheduled in October, revising situation and then to decide on best solution to proceed with elections Nov 2021 or reschedule for a later period.**
- 2. The Local Municipal Elections was scheduled for 1 Nov 21 and the GPCPB Executive considered the matter and advised that any CPB/CPF election to be hosted, need to be scheduled after the scheduled local election.**

Option 1

Submission is to consider progression in scheduling election aligned to this constitution with deviation from the prescribed time scales indicated and to schedule a GPCPB election to be hosted ...date...to be confirmed with the current 16 x GPCPB Cluster Boards (as the Members / as the electorate with the provision that the Cluster Sub-District CPB Chairpersons elected or a delegate from the cluster identified where the Interim Cluster Sub-District Chairperson is not the ex officio elected Chairperson. The Cluster Sub-District CPB elections to be rephased (to February 2022) after completion of the CPF outstanding elections (latter to be completed Jan 2022 subject to COVID regulations.

Option 2

Submission is to consider progression in scheduling election aligned to this constitution with deviation from the prescribed time scales indicated and to schedule a GPCPB election to be hosted after the Cluster Sub-District Board Elections...date...(March?) to be confirmed with the current re-constituted 16 x GPCPB Cluster Sub-District Boards (as the Members / as the electorate with the Cluster Sub-District CPB Chairpersons elected or a delegate from the Cluster Sub-District in terms of this constitution. The Cluster Sub-District CPB elections to be rephased (to January 2022) after completion of the CPF/CPSF (latter to be completed November/December 2021 and CPF outstanding or re-elections) subject to COVID regulations.

Adopted Resolution – Option 2

Annexure – M

“Annexure M” shall mean the Terms of Office, process and GP CPB directive when an elected incumbent resigns on any level.

1. The election term of office as defined in this constitution for a period of five years from the Elective General Meeting – any re-election for that position after portfolio was vacated – will the term be for the remainder of the five year term..
2. Any disqualification as indicated in this constitution – the incumbent vacate his/her position , a situation develops where a person relocates to another area outside the mandated boundaries of the former Board/District/Sub-District/CPF/CPSF where previously being elected and resided – need to give notice of resignation in writing and cease to continue and function in position from date of relocation.
3. In situation of illness where the incumbent may become unable to proceed to efficiently function and or contribute to the management of the respective CPB/CPF level, may so decided to resign in writing or where the incapacity is of such a nature and the person incapable to make the decision – the respective management to engage the family members and mutually agree to best practise to adopt withdrawal and resignation.
4. In situation of death confirmation, the position is immediately vacated.
5. When a person of an executive on any level so wish to resign – the resignation must be in writing (inclusive electronic message) addressed to all the executive members of the Board/Forum where the incumbent functioned. The incumbent may withdraw such resignation notice in writing and declare nil and void until prior executive meeting of said Board/Forum.
6. The Board/Forum once received notice of resignation/confirmation of vacation needs to convene a meeting within a period of fourteen days – table the resignation/vacation, first option to resolve the issues if any and or thereafter accept and acknowledge the resignation and inform the electorate with a notice and notice of the Elective General Meeting, inclusive of notice of interim co-option if any and notice of special general meeting date with invite to nominate successors. Meeting to be scheduled within a period of 90 days after date of resignation/vacation.
7. When the board/forum is unable to constitute and comply to a quorum as to many vacancies exist – the resignation(s) needs to be escalated to the higher hierarchical level to manage aligned to previous paragraph.
8. A notice for invite of nominations example included hereafter:

CPB/CPF NOMINATION PROFORMA AS MEMBER OF THE EXECUTIVE COMMITTEE:
COMMUNITY POLIC BOARD / FORUM

Denomination: Full Names:

.....

Surname: ID No: (Enclosed Photostat

Copy of ID & PROOF OF RESIDENCE)

Resident At:

.....
Telephone No (W): **Telephone No (H):**

.....
Cell No: **E-mail Address:**

.....
Is herewith nominated for portfolio:(See Table at Bottom)

.....
Nominated by: Denomination: **Initials:** **Surname:**

.....
ID No: **Contact No:**.....**E-mail:**

.....
Resident at:(Enclosed Proof of residence)

Signature: **Date:**
...../...../.....

.....
Seconded by: Denomination: **Initials:** **Surname:**

.....
ID No: **Contact No:**.....**E-mail:**

.....
Resident at:(Enclosed Proof of residence)

Signature: **Date:**
...../...../.....

I, the above nominee, herewith accept the nomination as **for**
.....**CPB/CPF/CPSF** **Executive Committee.**

I do certify that I am aware of the conditions and results of SAPS record screening and undertake to withdraw nomination and or evacuate the portfolio elected in case of a criminal record being convicted. I take note that I may apply for expungement under following conditions:

The record has been in existence for at least 10 years or more. There have been no subsequent convictions. You were given the option of paying a fine (less than R20 000).

The offence for which you were convicted was of a trivial nature, such as petty theft, shoplifting, and fraud, certain politically motivated crimes, and crimes in respect of which the punishment is now unconstitutional.

You were advised that paying a fine would not result in a criminal record, but have subsequently discovered the existence of your criminal record.

I do certify the following:

I'm a citizen of the Republic of South Africa / obtained permanent Residence; are 18 years or older (unless representing Youth Crime Prevention Desk); am resident/ratepayer in the CPF/CPSF ... area of responsibility; in good standing and not excluded in terms of the GP CPB Constitution – not being a current member of SAPS Secretariat of Police, Independent Police Investigation Directorate, Dept Community Safety, SAPS, Metro Police, PSIRA, or has conflict of interest with SAPS operations or crime intelligence. Is a political and not holding a post or being an office bearer of any political party.

Signed at

Nominee Signature:..... **Date:**
...../...../.....

NB 1 - NOMINATION PORTFOLIOS: (1) Chairperson; (2) Deputy Chairperson; (3) Secretary; (4) Deputy Secretary; (5) Treasurer/Financial Manager; (6) PRO; Additional Portfolios CPF/CPSF as example: (7) Criminal Justice System Coordinator; (8)