

CONSTITUTION OF TOKAI NEIGHBOURHOOD CRIME WATCH

1. ESTABLISHMENT

The Tokai Neighbourhood Crime Watch (TNCW) was initially established through the Tokai Residents' Association (TRA) as a community service by the residents of Tokai to assist themselves and the South African Police Service prevent and report on crime within the suburb of Tokai. It now functions as a completely autonomous body.

2. AIMS

(a) To raise the community's awareness levels of criminal activity within Tokai, and encourage good neighbourliness and vigilance among its members.

(b) To provide a crime prevention and reporting organisation to which all residents of Tokai may belong.

(c) To provide an information service to the local Police Station by encouraging neighbours to report suspicious matters or unusual occurrences in the suburb, which may indicate that a crime is taking place or may be about to take place.

(d) To provide residents with information regarding crime and its prevention in the suburb of Tokai.

(e) To liaise and co-operate with other organisations with similar aims and objectives, such as the Department of Community Safety, the local Community Police Forum (CPF), and other crime watches.

(f) To carry out all such tasks as may hinder criminal activity, including monitoring the efficacy of service providers on behalf of the community.

3. MANAGEMENT

The Tokai Neighbourhood Crime Watch (TNCW) Committee hereinafter referred to as the "committee" shall comprise the following office bearers:

(a) Chairperson: The Chairperson of the Committee will be responsible for coordinating crime watch activities.

(b) Secretary: The secretary is responsible for taking the minutes of meetings, maintaining a file of documents open to public scrutiny and distributing them to all the committee members prior to the next meeting.

(c) Treasurer: The treasurer and finance subcommittee are responsible for the financial management of the TNCW. A set of accounts must be drawn up as at the end of February each year and be available at the AGM.

(d) Committee Members: Any resident of Tokai may serve as a committee member. At least one of these committee members shall be a zone manager. The committee must be approved at the Annual General Meeting. The committee shall be entitled by a two-thirds majority vote to co-opt new members on to, or vote any member off the committee at any time.

(e) Zone managers: Zone managers (previously called zone coordinators) shall determine the safety needs of their zones and are responsible for taking any actions they deem necessary to minimise criminal activities in their zone with prior approval of the committee. Where possible, one zone manager shall represent each of the TNCW areas, which may be re-sized from time to time at the committee's discretion. Each zone manager may appoint residents from his / her area to act as deputies and/or street co-ordinators without any approval from an Annual General Meeting.

4. ELECTION OF TNCW COMMITTEE

The nomination and election of Committee Members shall take place at an Annual General Meeting.

5. MEMBERSHIP OF TNCW

Only residents of the Tokai suburb may become members of the organisation. The Tokai suburb to be serviced by TNCW comprises that area to the West (mountain side) of the M3 which is bordered to the South by Pollsmoor Prison, to the West by the Orpen/Spaanschemat Road and to the North by the forest. To the East of the M3 the boundary is Tokai Rd in the South and Vans Road to the East.

In addition, this 'TNCW suburb', for crime watch purposes, may also be extended to include the residential areas of Forest Glade and those properties on, and adjacent to, Zwaanswyk Road.

Applicants wishing to become members will be asked to provide the TNCW with basic information about themselves (viz. name, street address, telephone numbers, and e-mail address) to enable to TNCW to remain in contact with them. Application forms will be distributed from time to time or application may be made directly through the TNCW website.

Membership is free. All members will be requested to make a voluntary donation of an amount as suggested by the TNCW Committee taking account of anticipated expenses in the forthcoming years. These funds will be deployed at the discretion of the committee to meet various needs including signage, website costs, communication costs, the cost of running voluntary patrols and ongoing committee expenses among other things.

The committee reserves the right to levy other fees, such as payment for "starter kits/decals" for new residents in the area, as deemed necessary.

6. MEETINGS

- (a) Annual General Meetings. Annual General Meetings must be held not later than the 31 March each year.
- (b) Special General Meetings Special General Meetings may be called by a majority decision of the Committee or by at least ten non-committee members.
- (c) Notice of Meetings. Notice for Special and Annual General meetings shall be distributed at least two weeks prior to such meetings.
- (d) Proxies. A member shall be entitled to appoint a proxy in writing to act and vote on his / her behalf if he / she is unable to be present at any SGM or AGM.
- (e) Quorums for Annual and Special General Meeting. The quorum for Annual and Special General Meetings must be no fewer than 30 residents.
- (f) Public meetings will be held as and when requested through the committee.
- (g) Committee Meetings. The Committee shall meet monthly on the first Thursday of every month at the Tokai Library or other venue to be determined. Non-committee members (residents of Tokai) may attend as observers without a vote.
- (h) Quorum: The quorum at committee meetings shall consist of at least four members of the committee.
- (i) Minutes of Meetings. Copies of Minutes of all *public* meetings must be circulated to the TRA and the S.A. Police Service as well as committee members and will be displayed on the website.

7. FINANCE AND ASSETS

- (a) Finance. The Committee shall be empowered to open, operate or close an account with a registered financial institution within the RSA. The authorising signatories on such account shall be any two members of the committee. Management accounts must be presented to the entire committee quarterly. The Treasurer must maintain records of income and expenditure, and retain all supporting documentation. A set of accounts shall be submitted at the AGM for approval. These need not be audited but should follow generally accepted accounting practices.
- (b) Assets. All property, whether movable or immovable, acquired, donated or received on behalf of TNCW shall be recorded in an assets register maintained by the Treasurer. No property may be disposed of unless approved by a majority vote of the Committee. A record of assets shall be available at each AGM.
- (c) On-going committee costs. In furthering the work of TNCW, committee members and those carrying out delegated duties may incur out-of-pocket expenses. Reimbursive expenses may be claimed, if desired – the Chairperson and Treasurer to approve.

(d) A member of the Committee must declare any financial interest in, or benefit, financial or otherwise, receivable or received from any service provider with whom TNCW enters into any business arrangement.

8. INDEMNITY AND INSURANCE

(a) Indemnity: All committee members and those carrying out delegated duties are hereby specifically indemnified from any liability in respect of any claims made against them whatsoever including bodily injury, or for loss or damage to equipment or property while such member is participating in TNCW activities.

(b) Insurance: Residents and committee members are responsible for arranging personal insurance in respect of themselves and their property.

9. DISBANDMENT

In the event of TNCW being disbanded by a decision taken at an AGM or SGM or by a committee decision in the case of a failure to obtain an AGM or SGM quorum after two attempts, all assets shall be donated to the Tokai Residents Association (TRA) or any other organisation with similar aims and objectives.

10. CHANGES TO CONSTITUTION

(a) Changes to the Constitution will require a two-thirds majority of residents present at an SGM or AGM.

(b) The standard Western Cape Provincial Constitution and Code of Conduct for Neighbourhood Watch Structures ("WCNWS"), as amended from time to time, is expressly incorporated in the Constitution of TNCW. Where there is a conflict between the TNCW Constitution and the WCNWS, then the WCNWS shall prevail.

APPROVED AND RATIFIED 3 MAY 2007
AMENDED AND APPROVED AT 2008 ANNUAL GENERAL MEETING
AMENDED AND APPROVED AT 2011 ANNUAL GENERAL MEETING
AMENDED AND APPROVED AT 2016 ANNUAL GENERAL MEETING
AMENDED AND APPROVED AT 2023 ANNUAL GENERAL MEETING

ADDENDUM A:

Code of Conduct:

1. This Code of Conduct and the Constitution of TNCW shall be binding on all members of TNCW.
2. Members of TNCW must at all times act in a non-violent manner. No member may take the law into his or her own hands irrespective of circumstances.
3. No member of TNCW shall display racism, sexism or any other form of discrimination towards any member and any other person.
4. Members of TNCW may not divulge any confidential or privileged information that they may have acquired as a result of their membership of TNCW.
5. Any member of TNCW found to be making public statements and or addressing the media as a spokesperson for TNCW without the explicit authority from the Executive Committee of TNCW duly mandating that member to act for and on behalf of TNCW shall be guilty of a serious offence, resulting in the immediate suspension of the member pending expulsion subject to full investigation and decision on the matter.
6. No member of TNCW may accept any payment, commission or gratuity in connection with his or her membership of TNCW, except after being duly authorized to do so by the Executive Committee of TNCW.
7. No member of TNCW may exploit his or her membership of TNCW for personal advantage or benefit.
8. Members of TNCW must at all times act in a manner that will uphold and promote the aims and objective of TNCW as highlighted in TNCW 's Constitution and this Code of Conduct.
9. When on patrol a TNCW member may only use "minimum force", as described in the Criminal Procedure Act No. 51 of 1977 to secure the arrest of the perpetrator of an offence and no intimidation in whatever form may be used in the communities where such patrols will be taking place.
10. No member of TNCW may, when patrolling, carry any weapon(s) perceived to be dangerous that could inflict serious bodily harm and or damage to property; this shall include dangerous weapon, as defined in the Constitution of TNCW. Only weapons for sole purpose of self defence as approved by the Provincial Commissioner South African Police Services – Western Cape may be used.
11. Any TNCW member who intends taking a firearm on patrol must declare such to the local South African Police Services before taking such firearm on patrol.
12. No person under the age of 18 years may participate in any patrol.