

# **CONSTITUTION OF THE GREATER LYNFRAE CIVIC ASSOCIATION**

## 1. NAME OF ASSOCIATION

- 1.1 A Voluntary Association to be known as “The Greater Lynfrae Civic Association” (hereinafter referred to as the “Association”) is hereby established on behalf of the ratepayers and tenants living in the area of operation designated below. The Associations short name will be GLCA.

## 2. LEGAL STATUS OF THE ASSOCIATION

- 2.1 The Greater Lynfrae Civic Association is registered under the Companies and Intellectual Property Commission (“CIPC) with the registration number 2023/273336/08.
- 2.2 The Greater Lynfrae Civic Association is registered with the South Africa Revenue Service (“SARS”) with the reference number 9049903306.
- 2.3 The Association is liable for its own debts and not the debts of associated bodies. Any assistance granted to any person or body, whether corporate or un-incorporated, shall not render it liable for the debts of such person or body.
- 2.4 The Association may sue or be sued in the name of its Chairperson for the time being in any court of law in the Republic of South Africa. All process of law, notices and the like shall be regarded as sufficiently served on the Association if served on the Chairperson personally.

- 2.5 Neither the Chairperson nor any committee member shall be personally liable for any loss suffered.
- 2.6 The area of operation of the Association shall be the area bounded by the Southern Suburbs railway line on the West, Imam Haron Road and Chichester Road on the South, Belvedere Road on the East, Avenue De Mist/Oakhurst Avenue/Albion Road and Rouwkoop Road on the North, (hereinafter “the Area”). Minor adjustments to the boundaries can be implemented by a majority vote of the executive GLCA committee. Major adjustments to the boundaries must occur through a meeting of GLCA members and can be passed by a simple majority vote of members present. The GLCA shall notify the City of Cape Town on changes to its boundaries within 30 days.

### 3. MAIN OBJECTIVE

- 3.1 The main objectives of the Association shall be:
- 3.1.1 Security: Improve safety and security in public spaces, notable parks, playgrounds, and streets, by collaborating with members to understand and promote concerns with local authorities and security organizations.
- 3.1.2 Environment: Support the preservation and improvement of green spaces by empowering residents, organisations and authorities to maintain and beautify both public and private land within the civic boundaries.
- 3.1.3 Planning: Promote responsible development of properties within the City of Cape Town’s guidelines.
- 3.1.4 Community: Strengthen social cohesion by organizing events and supporting organisations that unite residents and build community spirit.

4. ANCILLARY OBJECTIVES

- 4.1 To represent the views of its members to local authorities and to other relevant organisations and persons.

5. POWERS

The powers of the Association shall be:

- 5.1 generally, to take such action and to do such things as may be required for the achievement of its objectives as laid down in the Constitution, notwithstanding the specific powers stated in sub-clause 5.2 to 5.4 hereunder;
- 5.2 to receive annual subscriptions, donations, grants and all other revenues of the Association; to open and operate an account or accounts with any registered financial institution and to draw and accept cheques; and to invest any surplus monies of the Association;
- 5.3 to pay any person for services rendered, goods or premises hired, or for necessary purchases made in pursuance of the objectives of the Association;
- 5.4 to elect and appoint office bearers as provided in clause 7.1 to 7.4 hereunder.

6. MEMBERSHIP

6.1.1 Any natural person over the age of 18 or juristic person who owns or leases property which is situated within the boundaries of the Association.

6.1.2 The spouse or partner of any such person shall be deemed to be a member.

6.2 Every application for membership must be accompanied by the prescribed application fee. Proof of ownership/residence may be required.

6.3 The liability of each member shall be limited to the amount of any subscription owing by such member to the Association.

## 7. EXECUTIVE COMMITTEE

7.1 The affairs of the Association shall be managed by an Executive of not less than six and not more than ten members who shall be elected annually at the Annual General Meeting. The Executive shall be empowered to fill any vacancy, which may arise on the Executive Committee by co-opting a member to serve until the following Annual General Meeting.

7.2 At every Annual General Meeting, the Chairperson, Vice Chairperson, Secretary and Treasurer (the Office Bearers) shall retire from office but shall be eligible for re-election.

7.3 Members who wish to join the executive committee must be nominated and seconded by other members.

7.4 The Chairperson must be voted in by the members at the Annual General Meeting. The Chairperson will appoint executive positions in the first committee meeting of the new year. Members of the executive committee

must provide proof of identification and residence within 14 days of being elected onto the executive committee.

7.5 The Executive Committee shall have the power to appoint sub-committees from members of the Association to deal with such matters as they may delegate in terms of the Constitution.

7.5 The Executive Committee shall meet regularly with a minimum of ten meetings per year. A quorum at such meetings shall be 50% plus 1 of the total membership of the Committee.

7.6 Each executive member must attend a minimum of seven meetings a year and be present in at least 1 meeting every 3 months. Any member of the Executive who fails to satisfy the requirements shall forfeit office but remain a member of the GLCA. The Executive Committee may then fill the vacancy. The exiting executive can request to stand again at the annual general meeting of the following year.

7.7 Meeting minutes will be circulated to the executive committee within 30 days of the occurrence of the meeting.

7.8 The Executive shall have the power to accept or reject applications for membership, collect subscriptions, incur expenditure not exceeding assets, pay accounts due, act on resolutions adopted at properly constituted meetings and carry out all such reasonable acts as it may deem fit for the proper administration of the Association.

7.9 A member of the Executive Committee may be removed (and replaced) at any time by ordinary resolution passed by a simple majority of members present at a duly convened Special Meeting of the Association.

7.10 No person shall serve as an Office Bearer on more than one Civic Association which has been recognised by the Municipality of the City of Cape Town.

8. DUTIES AND POWERS OF OFFICERS OF THE EXECUTIVE COMMITTEE

8.1 *Chairperson:* The Chairperson shall be responsible for the observance of the Constitution governing the Association and shall conduct all meetings within its framework under the general rules of debate. He/She shall at all times have a deliberative vote and in the case of equality of voting shall have a casting vote.

8.2 *Vice-Chairperson:* The Vice-Chairperson shall carry out such duties of office allocated to him/her by the Chairperson and shall take the chair in the absence of the Chairperson.

8.3 *Secretary:* The Secretary shall be responsible for keeping a record of all business conducted at both Executive and General meetings.

8.4 *Treasurer:* The Treasurer shall be responsible for keeping such books and records of finance as the Executive may direct. In addition, he/she shall collect either directly or through official collectors all subscriptions due by members. He/She shall bank all monies in a bank or financial institution nominated by the Executive and opened in the name of the Association.

8.5 Withdrawals shall be signed by two authorised signatories. Money received shall be deposited in the bank/institution immediately, and the Treasurer shall report the current state of the Associations' finances as

considered necessary. In the event of one person holding the dual position of Secretary/Treasurer, he/she shall fulfil the duties set out in each post.

8.6 Any discretionary expense allowance allocated to sub-committee members must be approved by a majority vote of the executive committee and reviewed at least annually.

8.7 In the event that neither the Chairperson nor the Vice-Chairperson is able to continue to fulfil their duties in terms of this constitution, the Secretary and Treasurer shall act as Chairperson and Vice-Chairperson until a Special or Annual General Meeting can be held to elect new office bearers.

8.8 The Chairperson and the Treasurer will be responsible for submitting the financial returns as required by the relevant regulatory bodies.

## 9. GENERAL MEETINGS AND SPECIAL GENERAL MEETINGS

9.1 AGM will be held once per year and SGM's as and when required.

9.2 Members must be notified by not less than fourteen days prior to a General Meeting taking place.

9.3 The Annual General Meeting shall take place during the first school term of the year.

9.4 Notice of any resolution to be proposed at the Annual General Meeting, other than the ordinary business, must be lodged with the Secretary in writing at least seven (7) days before the date fixed for such meeting. Only paid-up members will be able to submit notices and the secretary must confirm receipt for the notice to be acknowledged.

9.5 A Balance Sheet and Revenue and Expenditure Account for the previous

year, signed by the Chairperson and Treasurer, shall be presented at each Annual General Meeting.

- 9.6 The ordinary business at the Annual General Meeting shall include the following:
- 9.6.1 to receive and consider the report of the Executive Committee;
  - 9.6.2 to receive and consider the Financial Report by the Treasurer;
  - 9.6.3 to report on the election of members of the Executive Committee in terms of clause 7.1;
- 9.7 Special General Meetings shall be called by the Secretary on receipt of a written request from the Chairperson, or on receipt of a requisition signed by not less than eighty percent of the committee, specifying the purpose for which such meeting is to be called. Subject to the powers of the Committee, no business other than that specified shall be transacted at such meeting, but any resolution strictly relating to such business may be submitted to such meeting.
- 9.8 The quorum for an Annual General Meeting or a Special General Meeting called by the Committee shall be twenty (20) members. If there is no quorum within fifteen (15) minutes after the time fixed for the meeting of the Annual General Meeting or Special General Meeting, it shall be left to the discretion of the incumbent Chairperson to proceed or postpone. If postponed the AGM or the SGM shall continue on the same day and hour of the following week and at such adjourned meeting the members present shall be deemed to be a quorum for the transaction of all business of the meeting.

10. SUBSCRIPTION

10.1 The annual subscription for each member shall be fixed by the Executive Committee at the start of each year.

10.2 The Financial Year shall commence on the first day of January and shall end on the last day of December of that year.

10.3 The Executive shall keep a register of members. Only those members whose subscriptions are up-to-date will be eligible to vote or stand for election at a constituted meeting.

11. AMENDMENT OF CONSTITUTION

11.1 Additions or alterations to this Constitution shall be allowed if a two-thirds majority of members present and entitled to vote at the Annual General Meeting or at a Special General Meeting agree.

12. DISSOLUTION OF THE ASSOCIATION

12.1 A 2/3 (two-thirds) majority vote of members present shall be required at an Annual General Meeting or Special General Meeting to dissolve the Association.

12.2 In the event of such dissolution the Associations' assets shall be disposed of by the Executive and the proceeds therefrom plus any other funds in hand, shall be donated to causes.

Amended Constitution adopted on this                      day of

Greater Lynfrae Civic Association INCUMBENT CHAIRPERSON: JASMINE LIN