



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

HEROLD'S BAY RATEPAYERS ASSOCIATION

1. NAME

The name of the Association shall be "HEROLD'S BAY RATEPAYERS ASSOCIATION".

2. POSTAL ADDRESS

The postal address of the Association shall for statutory purposes be PO BOX 10063, George, 6530 or at any other place that the Management Committee may designate.

3. LEGAL IDENTITY & PERSONA

3.1 The Association is an independent legal entity, distinct from its members, having capacity of acquiring rights of property, of incurring obligations and of suing or being sued in its own name and having perpetual succession.

3.2 Neither members nor the Management Committee nor any sub-committee of the Association shall be answerable for the debts, engagements, liabilities or obligations of the Association.

4. OBJECTIVES

4.1 The objectives of the Association shall be:

4.2 to promote, enforce and safeguard the interests and rights of the ratepayers and/or residents of the membership area.

4.3 to conserve the environment, beauty, character and heritage of the membership area;

4.4 to foster interaction among ratepayers and residents through membership of the Association, and to increase understanding of civic issues and develop a sense of civic pride;

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

4.5 to interact with, and to serve as a means of communication to, all levels of government;

4.6 to keep a watching brief over Municipal policies and affairs, to evaluate them according to the highest principles of good local government.

4.7 to promote and facilitate interaction with other organisations in the Greater Southern Cape Area having similar objectives;

5. MEMBERSHIP

5.1 Membership of the Association shall be open to all registered property owners and/or residents over the age of eighteen years in the membership area, defined as the area Herolds Bay inclusive of Duttons Cove and Herolds Bay Ext 1 & 2, but excluding Oubaai, Monate, The Brink and Breakwater Bay.

5.2 A registered property owner is defined as the registered ratepayer or his/her nominee duly authorised in writing.

5.3 A resident is defined as any person domiciled or a tenant within the membership area. Each property owner shall have 1 (one) membership for each erf or sectional title unit registered in his name. If an erf is registered in the name of more than 1 (one) person, then all such co-owners shall jointly have 1 (one) membership.

5.4 The list of members shall not be divulged to anyone who is not a member of the Management Committee unless so authorised by the Management Committee.

6. MANAGEMENT

6.1 The affairs of the Association shall be managed by a Management Committee (The Committee) consisting of not less than a Chairperson, a Vice Chairperson a Treasury and 4 members, as determined at the relevant Annual General Meeting (AGM), and who shall be elected at the AGM. Any paid-up member of the Association may make him/herself available for election.

6.2 In the event of its transpiring that the Management Committee consists for a period of time of less than 5 members, the actions of the Management Committee shall

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

nevertheless be lawful subject to further members being co-opted or appointed within a period of 90 days from the date upon which the number of the Management Committee members fell below 5.

6.3 Any serving Committee member shall be eligible for re-election, and does not require re-nomination, providing that willingness to stand for re-election is confirmed in writing.

6.4 Subsequent to an election, The Committee may nominate and at a subsequent meeting co-opt persons to fill any vacancy arising through resignation or other cause.

7. POWERS OF THE MANAGEMENT COMMITTEE

7.1 The Committee may perform such acts as are necessary to accomplish the objectives of the Constitution. Without in any way limiting the generality of the foregoing, such powers shall include but not be limited to the following:

7.1.1 the operation of banking accounts with all powers required by such operations;

7.1.2 the investment and re-investment of monies of the Association not immediately required, in such a manner as may from time to time be determined by The Committee;

7.1.3 the making of, entering into and carrying out of contracts or agreements for any of the purposes of the Association;

7.1.4 the employment and payment of agents, servants and any other parties;

7.1.5 the right to sue and to defend actions in the name of the Association and to appoint legal representatives for this purpose;

7.1.6 the levying of a subscription payable by members, subject to approval by members at the AGM

7.1.7 the appointment of any sub-committee.

7.2 The Association is pledged to be non-political and non-commercial, thus any member of The Committee, having any financial, political or business interest in any matter under

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

discussion, must declare such interest and recuse him/herself from such discussions by The Committee and any vote thereon.

7.3 The Treasurer will present a summary of the financial position of the Association for approval. An audited financial report as well as the full statements must be available for inspection at the meeting.

7.4 No member of The Committee or any sub-committee shall be entitled to use his/her position on such committees to promote his/her financial and/or business interests, or to use for such purposes confidential information obtained through his/her position.

8. CONDUCT OF MANAGEMENT COMMITTEE MEETINGS

8.1 The Committee shall meet at least 3 times per year.

8.2 The quorum for a The Committee meeting shall be 51% of its members, present personally or by proxy.

8.3 Special Meetings may be called by the Chairperson.

8.4 Resolutions shall, where necessary, be carried by a simple majority of members of The Committee present at a Committee Meeting.

9. TERMINATION OF MEMBERSHIP OF MANAGEMENT COMMITTEE

9.1 The Committee may terminate the membership of any person who is no longer qualified to be a member or whose subscription is more than three calendar months in arrears. The Committee may on good cause or breach of the Constitution by a member terminate his or her membership provided that such member may, within ten days of this action, note an appeal against such decision, which shall be considered at the next General Meeting of Association members or at a Special General Meeting convened for this purpose.

9.2 A The Committee member shall cease to hold office if:

9.2.1 by notice in writing to The Committee he/she resigns his/her office;

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

9.2.2 he/she becomes of unsound mind;

9.2.3 he/she surrenders his/her estate as insolvent or his/her estate is sequestrated;

9.2.4 he/she is convicted of any criminal offence; deleted: "which involves dishonesty"

9.2.5 by resolution of a General Meeting of the Association he/she is removed from his/her office.

10. GENERAL MEETINGS

10.1 The Annual General Meeting (AGM) of members of the Association shall be held in December at a place, date and time fixed by The Committee.

10.2 The balance sheet and revenue and expenditure statement for the previous calendar year, shall be submitted to the AGM for ratification. The Treasurer will present a budget and summary of the financial position of the Association for approval. An audited financial report as well as the full statements must be available for inspection at the meeting.

10.3 Fourteen (14) calendar days' notice shall be given to members for all General Meetings.

10.4 A quorum for all General Meetings shall be 20 members. Provided that if, within 30 (THIRTY) minutes from the time appointed for a meeting, a quorum is not present, the meeting shall stand adjourned to the same day in the next week, at the same time and place and if at such adjourned meeting, a quorum is not present within 30 (THIRTY) minutes from the time appointed for the meeting, the Members then present in person or by proxy, shall be a quorum.

10.5 Special General Meetings may be called by The Committee, and shall be called when requested in writing by not less than ten members of the Association. The notice calling such a meeting shall be issued within 7 days of the request and shall set out in full the names of the members calling for the meeting and the business to be transacted. Only such business may be transacted at the meeting.

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

10.6 Voting at all General Meetings may be held by either a show of hands or by the secret completion of bona fide voting papers, should this be ordered by the Chairperson or requested by ten or more members present. Save for motions dealing with amendments to the constitution or termination of the Association, a simple majority vote shall prevail. Nevertheless, the Chairperson shall endeavour to arrange that resolutions are worded in a way that will achieve broad consensus.

10.7 When voting for the election of members of The Committee each member in good standing may vote for any number of candidates up to a maximum of twelve.

11. MEMBERS VOTING RIGHTS

11.1 Only members of the Association who have paid their annual subscriptions for the current financial year at least 4 weeks previously shall be entitled to vote at any General Meeting of the Association.

11.2 A member of the Association shall be entitled to appoint a proxy to speak and vote on his/ her behalf at General Meetings. A proxy appointment must be in writing, signed by the member and delivered to the Secretary not less than twenty-four (24) hours prior to the scheduled meeting. The proxy need not be a member of the Association.

12. FINANCE

12.1 The Association, through The Committee, shall be empowered to raise funds from members by way of subscriptions and/or other methods so approved in order to conduct the affairs of the Association on a competent and sound financial basis.

12.2 All funds shall be deposited to the credit of the Association with a registered deposit receiving institution.

12.3 Monies may be withdrawn from the accounts of the Association only on written instruction signed by the Chairperson plus one other person so authorised by The Committee.

12.4 At the end of each financial year financial records prepared by the Treasurer shall be submitted for scrutiny to an independent Registered Accountant, who shall prepare

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270



Herold's Bay

RATE PAYERS ASSOCIATION

PO Box 10063
George
6503

Chairperson: Kenneth Field
Email: kenf@telkomsa.net
Cellphone: +27 (0) 82 458 3586

the annual financial statement in the Standard Accounting form. The statement shall be approved by The Committee before submission to the Annual General Meeting for ratification.

13. AMENDMENTS TO THE CONSTITUTION

13.1 Any alterations, additions, or amendments to this Constitution must be passed by a two-thirds majority vote of those present at a General Meeting of the Association.

13.2 Notice of any proposed alteration, addition, or amendment must be given in writing to members twenty-one days prior to the AGM.

14. TERMINATION OF THE ASSOCIATION

14.1 The Association shall be wound up upon the passing of a vote conducted in secret by the casting of written voting papers to that effect of not less than two-thirds of the paid up members of the Association at or subsequent to a Special General Meeting called to decide specifically on the dissolution of the Association.

14.2 In the event of such a dissolution, all funds and property belonging to the Association, or held in trust on its behalf, shall forthwith be transferred by authority of the Special General Meeting, to an Association or amenity catering for the benefit of the Ratepayers and/or Residents of the membership area.

15. AUTHORITY IN CASES OF URGENCY

15.1 Should a matter arise requiring the immediate action by The Committee and there is insufficient time available to call a meeting of The Committee, the Chairperson shall, after consulting at least two other members of The Committee, take such action as may be determined upon by him or her. The Chairperson shall report thereupon at the next meeting of The Committee to seek endorsement of his/her action. The Chairperson shall be recused from the vote of endorsement by the members of The Committee.

15.2 The Chairperson may appoint the Vice-Chairperson to undertake this function if he/she is unable to do so.

BANKING DETAILS:

Account: The Herolds Bay Ratepayers Association
Bank: Standard Bank
Acc Number: 287 700 747
Branch Code: 050214

SECRETARY:

Adele van Wyk
(E) adele@chimesvanwyk.co.za
(T) +27 (0) 83 630 3270