

MUCKLENEUK LUKASRAND PROPERTY OWNERS AND RESIDENTS ASSOCIATION

CONSTITUTION

1. NAME

The name of the body hereafter referred to as "Association" shall be the Muckleneuk Lukasrand Property Owners and Residents Association.

2. AIMS

To protect and advance the interests of all owners of fixed property and residents of the suburbs of Muckleneuk and Lukasrand.

3. MEMBERSHIP

(a) The Association consists of owners of fixed property and residents over the age of 18 in the suburbs of Muckleneuk and Lukasrand who are registered as members of the Association and who subscribe to the constitution of the Association.

(b) Companies, Close Corporations, Trusts and Partnerships may become members of the Association and be represented each by one (1) representative.

(c) Membership is obtained by completing an enrolment form.

4. TERMINATION OF MEMBERSHIP

A member ceases to be a member of the Association if a majority of members of the Executive terminate the membership or if a member resigns from the Association.

5. FINANCES

(a) Membership fees: The Executive Committee may lay down the fees which are payable by members of the Association.

(b) Banking Account: All monies of the Association must be deposited on behalf of the Association in a recognised banking institution or deposit receiving institution, as determined by the Executive Committee. All cheques or cash withdrawal orders made out on behalf of the Association must be signed by any two of the Chairman, the Vice-Chairman and one other member selected by the Executive Committee.

(c) Accounts: All payments must be approved beforehand by the Executive Committee.

(d) Balance Statements: Each year a statement of receipts and expenditures indicating the available funds, must be submitted to the annual meeting.

- (e) Auditing: The Executive Committee shall, if deemed necessary, appoint yearly an Auditor who is not an office bearer of the Association to audit the books of the Association and to certify the correctness of the final financial statement. If no such audit is deemed necessary the annual statement referred to in Clause 5(d) shall indicate such decision by the Executive Committee.
- (f) The financial year shall extend over a period laid down by the Executive Committee.

6. EXECUTIVE COMMITTEE

- (a) Management: The management of the Association lies with the Executive Committee.
- (b) Composition: Except as laid down hereunder, the Executive Committee is elected annually at the annual general meeting by the members of the Association. Retiring members are re-eligible.
- (c) The Executive Committee shall consist of twelve (12) members.
- (d) Members or aspiring members of the City Council may not serve on the Executive Committee.
- (e) Irregular attendance at meetings: A member of the Executive Committee failing to attend three (3) successive meetings without good reason can be suspended from the Executive Committee.
- (f) Vacancies: Vacancies arising in the course of the financial year may be filled by the Executive Committee.

7. EXECUTIVE

- (a) The Executive consists of the Chairman, the Vice-Chairman, the Secretary and the Treasurer.
- (b) The Executive is elected at the annual general meeting for one (1) year. Vacancies arising will be filled by the Executive Committee.
- (c) Retiring members of the Executive are re-eligible.
- (d) Members of the Executive serve in their functions as long as they remain members of both the Executive Committee and the Association.
- (e) The Executive handles all urgent matters as well as matters referred to it by the Executive Committee. It reports on action taken, conclusions arrived at and recommendations to the Executive Committee for confirmation and finalisation.

8. MEETINGS

- (a) Annual General Meeting: The annual general meeting shall be held on the date, time and place as determined by the Executive Committee. At such meeting, a written report on the activities of the Executive Committee during the past year will be tabled.
- (b) Extraordinary General Meetings:
 - (i) A special meeting of members may be convened by the Chairman if requested in writing by at least 25 members of the Association. A detailed motivation and reasons for the invoked urgency must accompany the request.
 - (ii) The Chairman may at any time convene a special general meeting, provided the members are notified beforehand of the purpose of the meeting.
- (c) Executive Committee Meetings: The Chairman or the Secretary may convene a meeting of the Executive Committee in order to discuss matters and such meetings shall take place at least six times per calendar year.
- (d) Meetings of the Executive
 - (i) The Executive shall meet at least two (2) times a year.
 - (ii) The Chairman may at any time convene an extraordinary meeting of the Executive, provided the members of the Executive are notified in advance of the purpose of such meeting.
- (e) Public Meetings: The Executive Committee is entitled to convene a public meeting.
- (f)
 - (i) The City Council member or members for the ward Muckleneuk-Lukasrand is/are entitled to attend all meetings as observers and must be notified of all such meetings.
 - (ii) Residents who belong to a member's family may attend a general meeting.
- (g) Quorums:
 - (i) At any of the above meetings, no business shall be dealt with unless there is a quorum of members when such business is discussed.
 - (ii) For annual meetings and extraordinary general meetings 20 members in good standing shall constitute a quorum.
 - (iii) For Executive Committee meetings, six (6) members shall be deemed a quorum.

- (iv) For Executive meetings, three (3) members shall be deemed a quorum.
- (h) Adjourned meetings: If no quorum is present half an hour after the meeting is supposed to commence, the meeting is adjourned to a date, time and place determined by the Chairman, or dissolved in the case of an extraordinary general meeting. At any adjourned meeting, the members present shall constitute a quorum. At adjourned meetings, business can be discussed and decisions taken which are deemed to be binding on the association.
- (i) Notification:
 - (i) Annual, Extraordinary and Public Meetings: All notifications shall contain the required agenda items as well as the date, time and place of the meeting. Notice shall be given through the press or by mail or by any other means as the Chairman deems to be fit. Notice of adjourned meetings shall be given only if deemed necessary by the Chairman.
 - (ii) Executive and Executive Committee Meetings: Notice is given orally, by telephone or in writing. In the case of Executive Committee meetings, notice shall be given at least one (1) week prior to such meetings. Executive meetings should be called in good time.
 - (iii) Non-receipt of notice does not invalidate the proceedings of the meeting.
- (j) Vote: Any member of the Association or his/her nominated representative has one vote. It is understood that a member may represent only one other member. Furthermore, the Chairman of any meeting has a second or casting vote to use in a tie of votes.
- (k) Mode of voting: At meetings decisions are taken unanimously or on a show of hands. If before, or immediately after the announcement of results of such a vote a member entitled to vote demands a vote by ballot, such a vote is admissible provided the majority of members present have given their agreement on a show of hands.
- (l) The Chairman shall, at his/her discretion, lay down practical rules to ensure that only eligible members vote.

9. STATEMENTS AND BOOKS

- (a) The Executive Committee must carefully preserve all documents and books of the Association and hand over such documents and books to their successors so that the historical background of the Association remains properly documented.
- (b) The books and other documents of the Association are open to inspection to members of the Association.

10. AMENDMENTS

The Constitution can at any time be amended by a decision taken by members, with the understanding that written notice of any proposed amendment be given to members two (2) weeks before. Furthermore, such an amendment shall be adopted by a two-third majority of a properly constituted meeting of members.

11. INTERPRETATION

If doubt arises about the meaning of any provisions made by the Constitution or if different interpretations are given to any provision made by the Constitution, the article or clause in question shall be submitted to the Executive Committee for a final and decisive interpretation.

12. ITEMS NOT PROVIDED FOR:

Matters not provided for in the Constitution are to be submitted to the Executive Committee for discussion and finalisation.

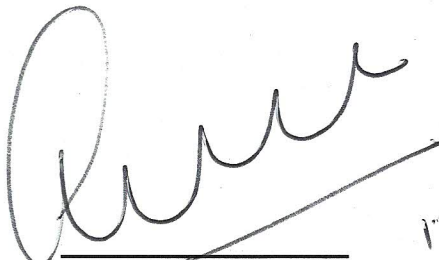
13. DISSOLUTION

By a decision taken at an annual or special general meeting the Association may be dissolved. By the same decision the transfer of all assets of the Association, after payment of all possible debts in favour of any other body named in the same decision, can be authorised.

14. LOCUS STANDI IN JUDICIO & LEGAL PERSONALITY

- (a) The Association shall have the capacity to be a party to legal proceedings and shall have the power to institute and defend legal proceedings to further the aims of the Association.
- (b) The Association shall have perpetual succession and shall have the capacity to acquire rights and incur obligations in its own name apart from its members.

APPROVED AT THE ANNUAL GENERAL MEETING HELD AT Pretoria ON
THIS 29th DAY OF March 2010:



CHAIRMAN

12 April 10
Date



VICE-CHAIRMAN

12/4/10
Date