

## **CONSTITUTION FOR KENSINGTON RESIDENTS and RATE-PAYERS ASSOCIATION**

### **1. NAME**

- 1.1 The name of the Association shall be:  
**'KENSINGTON RESIDENTS and RATE-PAYERS ASSOCIATION' (KRRA)**
- 1.2 The Association is non-racial and non-partisan and is not aligned to any political or religious organisation.

### **2. AREA OF OPERATION**

The Association will operate within the boundaries of the suburbs of Kensington and South Kensington.

### **3. OBJECTIVES**

The objectives of the Association shall be to:

- 3.1 Promote and protect the rights, interests and general welfare of the residents (which includes tenants) and ratepayers (which includes owners) in the area.
- 3.2 Make representations to the Johannesburg City Council and other authorities and to intercede and negotiate with whomsoever in matters affecting the residents of the area and to act as a liaison between the Council and its residents.
- 3.3 Create awareness among residents of the special historic and architectural features of the area and to promote the preservation thereof.
- 3.4 Motivate, coordinate and direct continuous efforts to achievement of a greater level of public awareness of and concern for the environment.
- 3.5 Promote the safety and security of all who live or work in the area.
- 3.6 Maintain and protect the special residential character of the area.
- 3.7 Ensure that all applications for rezoning or other changes of usage in the area comply with the criteria laid down in the future development policy (the Development Plan) for the area, failing which to oppose such applications.
- 3.8 Raise funds for the purpose of achieving the objectives of the Association.
- 3.9 Do such other lawful activities as may appear to be in the interest of its members and residents of the area.
- 3.10 Affiliate to and to allow the affiliation of other organisations where this is in the interest of the area.

To this end the Association will lodge its Constitution with the Johannesburg City Council.

### **4. MEMBERSHIP**

- 4.1 Membership shall consist of Ordinary Members, Commercial Members, Honorary Members and Life Members.
  - 4.1.1 Ordinary Members shall be natural persons over the age of 18 years who are residents or ratepayers in the area as well as their immediate families resident on the property (The family will be covered by one subscription)
  - 4.1.2 Commercial Members shall be bona fide businesses operating lawfully from business premises within the area and who subscribed to the above objectives. Commercial members may appoint a representative who may attend, speak and vote on its behalf at any meeting of the Association (Preferably the same person all the time).
  - 4.1.3 Honorary Membership may be extended to any person by the Executive Committee (the Committee) for periods of one year at a time and such honorary members shall not be required

to pay any fees and levies but shall otherwise be subject to the same obligations as Ordinary members. Honorary Members shall not have voting rights at any meeting of the Association.

- 4.1.4 Life Membership may be conferred upon any person by the Committee and such person shall thereafter be entitled to the privileges of ordinary membership without payment of subscriptions.
- 4.1.5 Concessions will be made by the Committee for pensioners and unemployed residents on presentation of proof of their status.
- 4.2 Admission to membership of the Association shall be in the sole discretion of the Committee and all applications for any form of membership shall be made to and dealt with by the Committee. It shall not be obligatory for reasons to be given for the acceptance or rejections of an application.

## **5. SUBSCRIPTIONS**

- 5.1 The annual subscription fee for both Ordinary Members and Commercial Members shall be decided from time to time by the members at the Annual General Meeting and shall be payable within three months following the Annual General Meeting.
- 5.2 A member, whose subscription is not paid within the time limit set out in 5.1 above may be suspended from the rights of membership and may be removed from the roll of members by decision of the Committee without prejudice to the Association's rights to recover any subscriptions that may be due.

## **6. MANAGEMENT**

- 6.1 The management of the Association shall be vested in the Committee which shall consist of a Chairman, vice-Chairman, Secretary, Treasurer and a minimum of four and a maximum of nine other members.
- 6.2 The Chairman of the Association shall be elected by a simple majority vote of the members present at an Annual General Meeting and shall hold office for a period of two years and may stand for re-election.
- 6.3 The other Committee members shall be elected by members of the Association at each Annual General Meeting and hold office until the next Annual General Meeting and stand for re-election.
- 6.4 Persons nominated for election to the Committee shall be:
  - 6.4.1 resident in the area
  - 6.4.2 ratepayers in the area and
  - 6.4.3 members of the Association in good standing (but excluding Honorary members) duly nominated and seconded by members in good standing and
  - 6.4.4 Present at the meeting at which they are nominated and accept nomination or if unable to be present at the meeting they may submit their written proposal, secondment and acceptance by lodging these with the secretary prior to or at the commencement of the meeting.
  - 6.4.5 Insofar as Commercial nominees are concerned, the business concerned must comply with the provisions of 6.4.2 and 6.4.3. It must in turn nominate a single person to act on its behalf, who must comply with the provisions of 6.4.4.
- 6.5 Johannesburg City Councillors shall not be eligible for membership of the Committee but may attend meetings at the invitation of the Chairman of the Committee.
- 6.6 At the first meeting of the newly elected Committee, the members present shall elect a vice-Chairman, Secretary and Treasurer, all of whom shall hold office of a period of two years.

## 7. EXECUTIVE COMMITTEE (THE COMMITTEE)

### 7.1 Powers:

The Committee shall be empowered to:

- 7.1.1 Collect or authorise the collection of all funds, levies, subscription and other money due to the Association and to make such payments as may be due from time to time.
- 7.1.2 Place the funds of the Association in an approved banking institution and to authorise such officers or members of the Committee to conduct the financial affairs of the Association in a lawful manner. The Treasures and one or four other authorised signatories shall sign for payments to be made on behalf of the Association.
- 7.1.3 Take such professional or legal advice as it may consider necessary in the interests of the Association.
- 7.1.4 By majority vote, fill casual vacancies on the Committee to hold office until the next Annual General Meeting.
- 7.1.5 Co-opted a maximum of three additional members to hold office until the next Annual General Meeting to perform specific delegated functions.
- 7.1.6 Accept, reject, suspend or remove any members in terms of items 4.2 and 5.2 hereof.
- 7.1.7 Appoint sub-Committees.
- 7.1.8 Carry out any other duties or activities as may appear to be in the interests of the Association.

### 7.2 Leave of Absence:

Leave of Absence may be granted to a Committee member on application. Any other member who absents themselves without leave from the Committee shall ipso facto cease to be a member thereof but may be re-instated by the Committee on request.

## 8. FINANCIAL YEAR

The financial year of the Association shall be from 1 January to 31 December of each year.

## 9. MEETINGS

### 9.1 Annual General Meeting

The Association shall hold an Annual General Meeting each year by no later than 31 March for the following purposes.

- 9.1.1 To receive the report of the Committee for the previous year ended on 31 December.
- 9.1.2 To receive and consider the accounts of the Committee for the previous year ended on 31 December.
- 9.1.3 To elect the Executive Committee.
- 9.1.4 To appoint honorary auditors or book examiners.
- 9.1.5 To transact such other business as may be set out in the Notice convening the meeting.
- 9.1.6 To discuss such further matters affecting the Association or members of the Association as may be added to the Agenda by the members at the meeting.

### 9.2 Special General Meetings

- 9.2.1 Special General Meetings of the Association shall be convened at such time and place and for such purpose as the Committee deems necessary, or upon request of no fewer than 10 members in good standing, setting out the reasons for the meeting and the business to be transacted and addressed to the Secretary.

- 9.2.2 Upon receipt of such request the Secretary shall convene a meeting for the purpose stated to be held within 30 days of receipt of the Notice, failing which the person requesting the meeting may convene the meeting without reference to the Committee.

**9.3 Executive Committee Meetings.**

- 9.3.1 Meetings of the Executive Committee shall be held at least 10 times per annum at such time and place as may be decided upon by the Chairman or the Committee from time to time.
- 9.3.2 In the absence of the Chairman or vice-Chair from any meetings, the members present shall elect a chairman for that meeting,

**10. NOTICES**

- 10.1 The Secretary shall cause a Notice convening any Annual or Special General Meeting of the Association to be emailed, posted or delivered to each member not less than 14 days prior to the date of the meeting or publish the Notice in such newspapers as the Committee may decide.
- 10.2 All Notices of meetings shall set out the nature of the business to be transacted and the time and place of the meeting.

**11. QUORUM AND VOTING**

- 11.1 The quorum at the meetings of the Association shall be as follows:
  - 11.1.1 Annual General Meeting  
Not less than 20 members present and in good standing
  - 11.1.2 Special General Meeting  
Not less than 20 members present and in good standing
  - 11.1.3 Executive Committee Meetings  
Not less than 5 Committee members
- 11.2 If at any Annual or Special General Meeting there is no quorum present, the meeting shall stand adjourned for 30 minutes after which the members present shall constitute a quorum.
- 11.3 Voting at all meetings shall be by show of hands unless otherwise directed by the Chairman.

**12. CONSTITUTION**

- 12.1 All members shall be bound by the Constitution and any rules laid down by the Committee and shall accept the Committee's interpretation of the Constitution.
- 12.2 Amendments to the Constitution shall require a two-thirds majority of the members present and entitled to vote at a properly constituted General Meeting of the Association, provided Notice of such amendment is received by the Secretary not less than 21 days prior to the meeting. The proposed change of the Constitution shall appear on the Notice to convene the Meeting.
- 12.3 Each member of the Association is entitled to receive a copy of the Constitution at their request.

**13. DISSOLUTION AND DISPOSAL OF ASSETS**

- 13.1 The Association may be dissolved at any time by decision of a General Meeting for which no less than one month's notice has been given, provided no less than two-thirds of the members (excluding honorary members) present vote in favour thereof. Any funds in hand at the date of such dissolution shall be disposed of as may be decided by the meeting.
- 13.2 This Constitution cancels all previous Constitutions and shall be binding on all members and comes into effect as from 21-May-2017.