



La Mercy Civic & Ratepayers Association

**LA MERCY RATEPAYERS AND CIVIC ASSOCIATION**

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**CONSTITUTION**

The name of the Association herein constituted shall be known as (hereinafter referred to as LMRCA).

**1. OBJECT/AIM:**

- 1.1 To protect and further the interest of all the residents of the township of La Mercy.
- 1.2 To deal with Civic and other matters affecting the residents of the township of La Mercy.
- 1.3 To make representation to the authorities on matters affecting the residents of the township of La Mercy.
- 1.4 To affiliate to or associate with other bodies and / or persons with allied interest, regarding the township of La Mercy.
- 1.5 To present the views and the requirements of the residents of the township La Mercy to Provincial Government on all matters affecting the welfare of the residents.
- 1.6 To acquire by lease or to purchase movable or immovable property for all and any purposes of the township of La Mercy.
- 1.7 To collect or authorize the collection of funds for financing the projects concluded by the residents of the township of La Mercy.

1.8 To do all such things as are in the opinion of the LMRCA necessary, proper or advisable for the advancement generally, of the welfare of the residents or which are incidental or conducive to the attainment of any of the above objects.

## **2. JURISDICTION**

The jurisdiction of the Association shall extend over the entire township of La Mercy and all other areas that may from time to time be incorporated in the township of La Mercy.

## **3. MEMBERSHIP**

3.1 Every resident over the age of 18 years in the Township of La Mercy is automatically a member of the association together with any person or service provider that has a vested interest in the township La Mercy and the furtherance of the projects of the LMRCA.

3.2 There shall be no membership fee to belong to LMRCA.

## **4. THE ASSOCIATION (LMRCA)**

4.1 The Officials of the LMRCA shall be the President, Vice - President, Secretary, Minute secretary and Treasurer (The Executive).

4.2 The Executives of the LMRCA shall be also comprise of members seconded to LMRCA.

4.3 LMRCA shall be constituted once every year via an Annual General Meeting (AGM).

4.4 The elected members shall fill the various executive positions at the first council meeting to be held after the AGM. The Executive once elected, shall second its members to the functioning of LMRCA. These members once seconded will hold a vote on all Executive decisions.

- 4.5 The outgoing president of the Association shall preside at the meeting of the new Cabinet at its first meeting. The outgoing Secretary shall keep minutes at that meeting. The outgoing president shall have an automatic position in the newly elected executive due to the need for continuity of the business of LMRCA.
- 4.6 Any member failing to attend three (3) consecutive Executive meetings of the LMRCA Executive without prior leave of absence being obtained, shall be deemed to have vacated such seat on the Executive LMRCA and he/ she shall be informed accordingly of such a breach and a new member called to take his/her place.
- 4.7 If the number of positions is reduced for any reasons whatsoever, then the existing members of the Executive Committee may co-opt to fill in the vacancies if necessary, to do so. These co-opted members shall hold a single vote each also.
- 4.8 If it shall appear to the Executive Committee that any member is not fulfilling his/her duties in an adequate and capable manner, or is not exhibiting sufficient interest in the work and welfare of LMRCA, or is otherwise by his/her conduct unfit to retain the office, the Chairperson/President or any member of the Executive can call for the removal of such member by way of ordinary vote or a vote of no confidence.
- 4.9 In the event of a meeting a vote can be taken by secret ballot or show of hand. If the decision is being taken by any form of round robin vote, the majority of those present and voting will be considered for the purposes of the vote.
- 4.10 The Executive Committee shall be entitled to remove such a member from office and appoint another member in his/her place.
- 4.11 Should the matter merit a vote of no confidence the Executive can do so based on the issues at hand and urgency.
- 4.11 This vote can be done by ordinary vote of round robin, by email or any forms of social communication deemed acceptable by the Executives of LMRCA from time to time.

## **5. MEETINGS**

- 5.1 The Annual General Meeting of the Association shall be held once every year on or before 31<sup>st</sup> July or as reasonably possible.
- 5.2 A special General Meeting shall be held when necessary and on 14 days (calendar) notice by any form of communication necessary and deemed acceptable at the time.
- 5.3 The Executive shall meet once a quarter to conduct the business LMRCA.
- 5.4 The quorum for the Special Meetings shall be 20 members.
- 5.5 The quorum for General Meetings shall be 20 members.
- 5.6 The quorum for Executive Meetings shall be 5 members (co-opted or executive).
- 5.7 At least 14 days- notice shall be required for an Ordinary Executive meeting, but an emergency meeting may be called within 24 hours.
- 5.8 At least 14 days- notice shall be required for General and Special General Meetings.
- 5.9 At all meetings of the Executives Committee, the President shall preside, and in his /her absence, the Vice – president. In the event of either of the last-mentioned persons being present, then the members of the Executive Committee at such meetings shall elect a Chairman from amongst the members at the meetings.
- 5.10 The minutes from all meetings of the Executive and General meetings shall be kept in a minute book reflecting all resolution and business transacted. All minutes shall be read and confirmed at the following meeting or via email prior to such meetings.
- 5.11 All resolutions at the meetings shall be decided on a show of hands or ballot and in the event of votes, the President/Chairperson shall have the casting vote or a second vote in respect of all LMRCA business.
- 5.12 Should the members of the LMRCA see the need for a Special General Meetings, their request should be sent in writing to the secretary accompanied by 20 signatures of

members of LMRCA, setting out detailed reasons for the request as well as the outcome they seek.

5.13 Any matter not provided for this by this Constitution for the purpose of meetings shall be dealt with by way of resolution at such meetings.

## **6. NOMINATIONS AND ELECTIONS**

All nominations and elections shall be duly proposed and seconded by members of the LMRCA by hand or Ballot or in any manner deemed appropriate by the Executive of LMRCA at the time.

## **7. FINANCE**

7.1 The Treasurer of the LMRCA shall raise, collect, receive and account for all money paid into the funds.

7.2 All money of LMRCA shall be deposited into a banking account in a bank or Building Society approved by LMRCA. All deposits must be made within seven (7) days of receipt.

7.3 Payments in respect of all LMRCA's transactions shall be passed by the meeting and such payments shall be made by cheque or withdrawal form duly signed by the Treasurer and the President or the Secretary.

7.4 The Treasurer shall submit Financial Statements and make his books of account available at all meetings of the Executive and the LMRCA, annually and at the AGM.

7.5 An Auditor shall be appointed by the meeting of LMRCA.

## **8. POLICY**

LMRCA shall do all in its power to maintain a cordial relationship with the authorities relevant to the area in order to promote the ideals of LMRCA and to associate with and co-operate with Government in all matters for the betterment of all residents, in perpetuity.

## **9. CONFLICT OF INTEREST**

No member seconded to or elected to the Executive shall remain in the Executive if there is a conflict of interest. Alternatively, a member conflicted will be recused from participating in any issue insofar as it relates to that conflict of interest.

## **10. SOCIAL MEDIA/ MESSAGING GROUPS**

These sites are managed by the Executive and all decisions affecting these sites vests in the Executive. Decisions are to be made by the Executive jointly in collaborations in respect of these sites.

## **11. PRESS STATEMENTS**

11.1 No official or member of the LMRCA shall make any press statements on or in respect of any of the LMRCA's business without express majority consent of the Executive of LMRCA.

11.2 All press statements must be sanctioned by the members of the Executive and the President shall give effect to issuing such statements.

## **12. LEGAL MATTERS**

12.1 The Association shall sue and be sued in the name of the President and the General Secretary.

12.2 The Officials of LMRCA shall be and are hereby indemnified against all action made against the LMRCA whilst acting in their respective capacities in matters relating to the acts of LMRCA.

## **13. SAVING CLAUSE**

Any matter not provided for herein shall be dealt with as the Executive may decide and recommend to LMRCA and such matter shall be dealt with the resolution.