

CONSTITUTION
of the
CEDERBERG FIRST RESIDENTS ASSOCIATION
publicly known as
CEDERBERG EERSTE (C.E)

Section 15A organisation in terms of the Electoral Commission Act 51 of 1996



Founded on 20 May 2021

DEED OF FOUNDATION

At an inaugural meeting held on 20 May 2021, at Reinholds Restaurant, Clanwilliam, and a follow up meeting held on 25 May 2021 at the Rooibos Country Club, Clanwilliam, residents agreed to form a S15A organisation called Cederberg First Residents Association to contest the Local Government Elections in the Cederberg Municipality.

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PREAMBLE

A unique opportunity has arisen within South Africa's democracy and the attendant electoral reform relative to a revised interpretation of Section 15A of the Electoral Act, thus enabling ordinary residents and citizens'/residents' organisations to stand for public office without needing to be a member of a Political Party.

Therefore, Cederberg First Residents' Association (CeFRA) has been established as a 15A organisation to contest the Local Government Elections in the Cederberg Municipality.

1. MEMBERSHIP

CeFRA is a residents' organisation comprised of individuals who are residents in the Cederberg Municipal Region (including the six wards that constituted the Cederberg Municipality), as well as organisations that conduct a portion or all of its operations in the jurisdiction of the Municipality. The minimum required for membership of CeFRA is that you must be a registered voter in the Cederberg Municipality.

2. VISION

A well run and managed Cederberg Municipal Region where there are more jobs than people.

3. MISSION

To select potential councillors and proportional candidates with the requisite skills and principles to be able to represent and serve the WHOLE Cederberg community efficiently and cost effectively.

Our common objective is therefore to facilitate the identification, training and support of candidates who will contest the local elections in all the wards comprising the Cederberg Municipal District.

4. CORE VALUES

We celebrate efficiency, productivity and competence.

We practice inclusivity and therefore do not discriminate on the basis of race, colour, religion or gender.

CeFRA subscribes to the IEC Code of Conduct (See below Annexure 1)

5. LOGO and BRANDING:

The logo of CeFRA / C.E will be as follows:



The organisation colour is reddish-orange, white and black.

The rising sun in reddish-orange symbolises the dawn of a new era. Orange as a colour also represents the citrus industry which is dominant in the region.

The Mountains represent the Cederberg Mountains – an appropriate symbol for the region.

6. ORGANISATIONAL STRUCTURE

6.1 Membership

CeFRA comprises individuals who are registered voters in the Cederberg Municipality.

CeFRA comprises of organisational members, who conduct a portion of its operations within the area of jurisdiction of the Municipality.

All confirmed members are entitled to vote at CeFRA meetings.

The minimum requirement is that all members accept the IEC Code of Conduct as binding on CeFRA.

6.2 Steering Committee / Executive

6.2.1 The election procedures of the executive

The members will appoint a Steering Committee.

The election of Steercom will take place annually – at the Annual General Meeting of CeFRA to be held no later than three months of the anniversary date of the formation of the organisation. The founding date is deemed to be 20th May.

Steering Committee members shall serve in the Steercom for a period of one (1) year from their date of election, subject to the right to be re-elected at the end of their one-year term.

Resigning Steercom members (including members whose term has expired) shall be eligible for re-election or co-option).

Steercom members must be Members of the Association.

6.2.2 Duties and functions of the executive

The affairs and day to day operations of the Association shall be managed by the Steercom.

Steercom will have the responsibility to call and facilitate public meetings and coordinate all decision-making processes which affect the organisation.

Suspend or terminate the membership of any Member in the event that the Member fails or meet or continue to meet the eligibility criteria.

Facilitate and enforce disciplinary procedures in respect of Candidates.

6.2.3 The structure of the executive/Steering committee

Steercom will elect from its ranks persons to fulfil the following functions:

- o Chairperson
- o Vice Chairperson
- o Secretary
- o Treasurer
- o Coordinator
- o Community Liaison

6.2.4 Steering Committee Member Vacating Office

The office of a Steercom Member shall be vacated if a member:

- o Resigns;
- o Becomes unfit and/or incapable of acting as such;
- o Would be disqualified, in terms of the Companies Act or equivalent legislation in force from time to time, from acting as a director of a company; or
- o Is removed by the Steercom, by resolution adopted by a Special Majority Vote of its Members.

Should a position on the Steercom fall vacant, the Steering Committee, by resolution adopted by Special Majority Vote of its members, may (and if the vacancy reduces the number of members to less than five (5), must) co-opt a Member/s to fill the vacancy/ies. The office of any person so co-opted as member of the Steering Committee shall lapse unless confirmed Members at the next AGM.

6.3 Location

For purposes of convenience and efficiency, CeFRA will have its main office in Clanwilliam which is the administrative seat of governance of the Municipality. It may also have regional offices spread across the six wards comprising the Cederberg region.

6.4 Inclusivity and Representivity

The Steering Committee will endeavour to be as representative as possible and ensure that all the wards are represented, as well as sector representation including Business, Agriculture, Rate Payers, Faith-based and Community organisations, Youth, Indigenous Leaders and Informal Settlement.

The Steercom is empowered to co-opt members/representatives to ensure a diverse and representative committee. The optimal size of Steercom is around fifteen (15) members.

7. Resolutions and Voting

At the meetings of the Association, a resolution put to the vote shall be decided by means of a show of hands or by ballot. A vote by ballot shall be held only if recommended by the Chairperson or not less than one third of the persons voting in persons voting in person. The result of the vote shall be the resolution of the meeting. Each Member present or represented at such a meeting shall be entitled to one (1) vote.

Matters arising shall be decided by a majority of votes. Should there be an equality of votes the Chairperson shall have a casting or second vote.

8. PARTNERSHIPS

CeFRA remains an independent resident's association and will collaborate but may enter into agreements with like-minded civil society organisations.

9. NOMINATION OF CANDIDATES

8.1 Criteria

CeFRA will be represented by candidates who fulfil the following standards and criteria:

The candidate must be a resident in the municipality.

The candidate must be registered to vote.

The candidate must be endorsed by a minimum of 50 residents in the municipality. *Residents will need to provide a signature, ID number, phone number and email address.*

The candidate must comply with all statutory requirements, such as that the candidate may not be a declared insolvent. *Candidates will be asked to declare that they are not a declared insolvent, do not have a criminal record.*

All candidates are to provide a full CV and complete a nomination form which will include the following statement:

- Why should you be elected as the ward candidate?
- Set out your campaign plan and budget.
- Detail existing and past community work that you have done.
- CV related information.

8.2 Types of candidates

8.2.1 Ward Candidates

- Where there is only one application per ward, the nominee will, subject to vetting, become the candidate.
- Where there is more than one nominee per ward:
 - CeFRA will arrange meeting of its members, facilitate a presentation and debate between the candidates and the allow for a vote.

8.2.2 PR (Proportional Representative) candidates

- The mayoral candidate should be number one on the PR list.

- The next slots on the PR list should be taken by the ward candidates. In terms of this ranking, a full public meeting of the association will be held and a single transferable vote to determine the ranking.
- After the ward candidates, a full public meeting should be convened of the association and a single transferable vote to determine the ranking.

8.2.3 Mayoral candidate

- CeFRA members Invite nominations for mayor.
- All nominations should be vetted as per the above criteria but mayoral candidates should have at least 100 endorsements from members of the community.
- A full public meeting of the association should be convened.
- If there is only one candidate, he/she should present to the meeting and be formally adopted as the association's mayoral candidate.
- If there is more than one candidate, they should all present and those registered at the meeting should vote.

10. DISCIPLINARY MECHANISMS

9.1 Disciplinary committee

Steercom will appoint a three-person disciplinary committee to adjudicate any disciplinary hearing that may be required. The decision of the Disciplinary committee will be considered final.

9.2 Discipline of candidates

- 9.2.1 One hundred (100) signatures from the members of CeFRA expressing their dissatisfaction with the elected official will trigger an automatic investigation.
- 9.2.2 Should the elected official be found guilty of misconduct, they will be ejected from CeFRA.
- In the event of this being a ward candidate: The ejection will by law result in a by-election.
 - In the event of this being a PR candidate: Subject to the necessary vetting and circumstances, the next candidate on the PR list will assume power.

11 AMENDMENTS TO THE CONSTITUTION

The terms of this Constitution may be amended by a Special Majority Vote of the Members at an AGM or general meeting.

The name of the Association may be changed and the Association may be dissolved by a Special Majority Vote of the Members present at an AGM or general meeting, provided that proper notice of the meeting is given not less than twenty one (21) days prior to the date of the Meeting and such notice states the nature of the resolution to be proposed.

SIGNED

CEDERBERG FIRST RESIDENTS ASSOCIATION

**Incorporated in terms of Section 15A of the
Electoral Commission Act, 1996 (Act No.51 of 1996)**

Resolution

We, the undersigned, being registered voters, confirm that we support the adoption of the Constitution of Cederberg First Residents Association as above.

	Name and Surname	Signature	Identity Number												
1	Ruben Richards		6	0	0	6	2	8	5	0	8	1	0	8	0
2															
3															
4															
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ANNEX 1 – IEC CODE OF CONDUCT

Source: <https://www.elections.org.za/pw/Parties-And-Candidates/The-Electoral-Code-Of-Conduct>

The Electoral Act contains an Electoral Code of Conduct aimed at promoting "conditions that are conducive to free and fair elections" and that create a climate of tolerance, free political campaigning, and open public debate.

As soon as the election date is proclaimed, parties, their agents and candidates commit to adhering to the provisions of the Electoral Code of Conduct until the election results are officially announced. Failure to do so creates the risk of a party's candidates or independent candidates being disqualified.

What are the rules of the Electoral Code of Conduct?

Parties and candidates must:

- Speak out against political violence and threats against other parties, the Electoral Commission, members of the public and the media;
- Let the authorities know about planned marches or rallies;
- Communicate with other political parties about planned political events;
- Recognise the authority of the Electoral Commission;
- Work with the Electoral Commission structures and allow them to perform their duties;
- Work with the police in their investigation of election crime and violence;
- Accept the results of the election or challenge the result in court.

How does the Electoral Code of Conduct work?

The Electoral Code of Conduct must be agreed to by:

- every registered party before the party takes part in an election; and
- every candidate before he/she is placed on the list of candidates.

Parties and candidates must stick to the code and must:

- let the public know about the Code;
- promote the purpose of the Code;
- support efforts to educate voters.

Parties and candidates must also inform the public that all people have the right:

- to be free to express their political beliefs and to be part of any political party; and
- to join in any political campaigns, marches or public meetings.

What conduct is prohibited in terms of the Electoral Code of Conduct?

The Electoral Code of Conduct, contained in the Electoral Act, also details a list of prohibited conduct including:

- Using language which provokes violence;
- Intimidation of candidates or voters;
- Publishing false information about other candidates or parties;
- Plagiarising any other party's symbols, name or acronyms;
- Offering any inducement or reward to a person to vote for a party;
- Destroying, removing or defacing posters of other parties;
- Carrying arms or weapons at political meetings, marches or rallies;
- Bribing voters to vote or not vote;
- Generally abusing a position of power, privilege or influence to influence the outcome of an election.

What happens when you breach the Code of Conduct?

Any person who breaches the Code is guilty of a criminal offence and can be fined or sent to prison for up to 10 years.

Political parties that breach the Code can:

- be fined up to R200 000;
- have to give up the party's election deposit;
- be stopped from working in an area;
- have their votes in an area cancelled;
- can have their party registration cancelled.

What should you do if you suspect a party or a candidate has breached the Electoral Code of Conduct?

In terms of section 78 of the Municipal Electoral Act the Electoral Court has jurisdiction in respect of all electoral disputes and complaints about infringements of the Code, subject to section 20(4) of the Electoral Commission Act.

If you suspect that a party or a candidate has breached the Electoral Code of Conduct, you need to report the incident to Electoral Court. **The Secretary of the Court can be contacted on the following telephone number: 051 412-7400.**

For the Electoral Court's rules regulating electoral disputes and complaints about infringements of the Electoral Code of Conduct, and rules regulating the conduct of the proceedings of the Electoral Court, **please refer to:**

- [Electoral Court Rules - Proceedings](#)

- [Electoral Court Rules - Disputes and Complaints](#)

Values

To enable the Electoral Commission to serve the needs of stakeholders, including the electorate, political parties, the media and permanent and temporary staff, the organisation subscribes to the following organisational values:

- Impartiality;
- Integrity;
- Accountability;
- Transparency;
- Participation;
- Responsiveness; and
- Respect.

Download our [IEC Vision Electoral Excellence](#) document (PDF - 432 KB) for more details.

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