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2013-10-30

TO: EXECUTIVE Mayor
SPEAKER
MUNICIPAL MANAGER
MANAGER: HUMAN RESOURCES

URGENT

Annual General Meeting 2014

Notice is hereby given in terms of the Rules of the Fund that the **SEVENTEENTH ANNUAL GENERAL MEETING** of the Fund will be held on **FRIDAY, 14 FEBRUARY 2014 AT 09:00 IN THE C R LOUW LECTURE HALL, SANLAM HEAD OFFICE, 1 STRAND ROAD, BELLVILLE.**

1. DELEGATES

- 1.1 In terms of Rule 4.3(1) of the Rules of the Fund **MEMBERS** may, not later than five weeks after receipt of this notice, elect member delegates with alternates to attend the annual general meeting. Seven day's notice must be given to members of such meeting. This office must be advised **before 21 December 2013** of the names of delegates and alternates together with their pension numbers. Annexure A sets out the number of delegates that you may elect to attend the annual general meeting. The method of election is laid down in Rule 4.3 of the Rules of the Fund. The Rules of the Fund can be accessed at www.caperf.co.za. An extract from the Rules pertaining to the AGM is attached as Annexure B.
- 1.2 In terms of Rule 4.1 of the Rules of the Fund each **MUNICIPALITY** (Employer) may nominate the same number of councillor delegates as the members to attend the annual general meeting. This office must be notified **before 21 December 2013** of any such nomination and alternates. If your municipality has already elected your delegates and alternates previously, please **confirm such election in writing** before 21 December 2014. The number of councillor delegates which your Council is entitled to, is attached as Annexure A.
- 1.3 Please note that a Councillor who is also a member of the Fund, may represent either the Municipality or the Members, but may not represent both constituencies at the meeting.

2. MOTIONS FOR THE ANNUAL GENERAL MEETING

In terms of Rule 4.1(9) of the Rules of the Fund, at least six weeks written notice of intention to move a motion at the annual general meeting must be given to the Principal Officer. You are therefore requested to submit as soon as possible, but in any event **before 7 January 2014**, any motions that are to be included in the agenda of the annual general meeting.

ADV JAN KOEKEMOER
PRINCIPAL OFFICER

DELEGATES PER LOCAL AUTHORITY NORTHERN CAPE PROVINCE

	LOCAL AUTHORITY	NUMBER OF DELEGATES	
		MEMBERS	COUNCILLORS
1	Dikgatlong Municipality	1	1
2	Dr Ruth Segomotsi Mompati District Municipality	2	2
3	Emthanjeni Municipality	1	1
4	Frances Baard District Municipality	2	2
5	Gammagara Municipality	1	1
6	Ga-Segonyana Municipality	3	3
7	Greater Taung Municipality	1	1
8	Hantam Municipality	1	1
9	Joe Morolong Local Municipality	1	1
10	John Taolo Gaetsewe District Municipality	1	1
11	Kagisano-Molopo Municipality	2	2
12	Kai!Garib Municipality	2	2
13	Kamiesberg Municipality	1	1
14	Kareeberg Municipality	1	1
15	Karoo Hoogland Municipality	1	1
16	Kgatelopele Municipality	1	1
17	Khai-Ma Municipality	1	1
18	Khara Hais Municipality	3	3
19	!Kheis Municipality	1	1
20	Magareng Municipality	1	1
21	Molopo Local Municipality	1	1
22	Naledi Municipality	2	2
23	Nama Khoi Municipality	1	1
24	Namakwa District Municipality	1	1
25	Phokwane Municipality	1	1
26	Pixley Ka Seme District Municipality	1	1
27	Renosterberg Municipality	1	1
28	Richtersveld Municipality	1	1
29	Siyancuma Municipality	1	1
30	Siyathemba Municipality	1	1
31	Sol Plaatje Municipality	3	3
32	Thembelihle Municipality	1	1
33	Tsantsabane Municipality	1	1
34	Ubuntu Municipality	1	1
35	Umsobomvu Municipality	1	1
36	Z.F. Mgcawu District Municipality	2	2

DELEGATES PER LOCAL AUTHORITY WESTERN CAPE PROVINCE

	LOCAL AUTHORITY	NUMBER OF DELEGATES	
		MEMBERS	COUNCILLORS
1	Beaufort-Wes Municipality	2	2
2	Bergrivier Municipality	2	2
3	Bitou Municipality	3	3
4	Breede Vallei Municipality	3	3
5	Cape Agulhas Municipality	2	2
6	Cape Winelands District Municipality	3	3
7	Cederberg Munisipaliteit	2	2
8	City of Cape Town	10	10
9	Drakenstein Municipality	4	4
10	Eden District Municipality	3	3
11	George Municipality	3	3
12	Hessequa Municipality	2	2
13	Kannaland Municipality	1	1
14	Knysna Municipality	3	3
15	Laingsburg Municipality	1	1
16	Langeberg Municipality	3	3
17	Matzikama Municipality	3	3
18	Mosselbaai Municipality	3	3
19	Oudtshoorn Municipality	3	3
20	Overberg District Municipality	2	2
21	Overstrand Municipality	3	3
22	Prince Albert Municipality	1	1
23	Saldanha Bay Municipality	3	3
24	St. Josephs Home for Chronic Invalid	1	0
25	Stellenbosch Municipality	3	3
26	Swartland Municipality	3	3
27	Swellendam Municipality	2	2
28	Theewaterskloof Municipality	3	3
29	West Coast District Municipality	3	3
30	Witzenberg Municipality	3	3

DELEGATES PER LOCAL AUTHORITY EASTERN CAPE PROVINCE

	LOCAL AUTHORITY	NUMBER OF DELEGATES	
		MEMBERS	COUNCILLORS
1	Alfred Nzo District Municipality	1	1
2	Amahlati Municipality	1	1
3	Amatole District Municipality	4	4
4	Baviaans Municipality	1	1
5	Blouberg Local Municipality	1	1
6	Blue Crane Municipality	1	1
7	Buffalo City Municipality	10	10
8	Cacadu District Municipality	1	1
9	Camdeboo Municipality	2	2
10	Chris Hani District Municipality	3	3
11	Elundini Municipality	1	1
12	Emalahleni Municipality	1	1
13	Gariep Municipality	1	1
14	Great Kei Municipality	1	1
15	Inkwanca Municipality	1	1
16	Intsika Yethu Municipality	2	2
17	Inxuba Yethemba Municipality	2	2
18	Joe Gqabi District Municipality	2	2
19	King Sabata Dalinyebo Municipality	1	1
20	Kouga Municipality	3	3
21	Kou-Kamma Municipality	1	1
22	Lukhanji Municipality	2	2
23	Makana Municipality	2	2
24	Malethswai Municipality	1	1
25	Matatiele Local Municipality	1	1
26	Mhlonlo Local Municipality	1	1
27	Mnquma Municipality	2	2
28	Ndlambe Municipality	2	2
29	Nelson Mandela Bay Municipality	10	10
30	Nkonkobe Municipality	2	2
31	Nxuba Municipality	1	1
32	Nyandeni Local Municipality	1	1
33	Sakhisizwe Municipality	1	1
34	Senqu Municipality	2	2
35	Sondagsriviervallei Municipality	1	1
36	Tsolwana Municipality	1	1

EXTRACTS FROM THE RULES

4.1 ANNUAL GENERAL MEETING

- (1) An annual general meeting of the FUND shall be held each year within twelve (12) months of the end of the previous FUND YEAR on a date decided upon by the BOARD OF TRUSTEES.
- (2) A notice stating the date, time and place of the annual general meeting shall be sent by the PRINCIPAL OFFICER to each PARTICIPATING EMPLOYER not less than twelve (12) weeks before the date of the annual general meeting.
- (3) Every municipality which employs:-
 - (a) one hundred (100) or less MEMBERS may appoint one (1) delegate who shall be a COUNCILLOR delegate and the MEMBERS of such municipality may elect one (1) delegate who shall be a MEMBER delegate; or
 - (b) one hundred and one (101) or more but not more than two hundred and fifty (250) MEMBERS may appoint two (2) delegates who shall be COUNCILLOR delegates and the MEMBERS of such municipality may elect two (2) delegates who shall be MEMBER delegates, or
 - (c) two hundred and fifty one (251) or more but not more than one thousand (1000) MEMBERS may appoint three (3) delegates who shall be COUNCILLOR delegates and the MEMBERS of such municipality may elect three (3) delegates who shall be MEMBER delegates; or
 - (d) one thousand and one (1001) or more but not more than two thousand (2000) MEMBERS may appoint four (4) delegates who shall be COUNCILLOR delegates and the MEMBERS of such municipality may elect four (4) delegates who shall be MEMBER delegates; or
 - (e) two thousand and one (2001) or more MEMBERS may appoint ten (10) delegates who shall be COUNCILLOR delegates and the members of such municipality may elect ten (10) delegates who shall be MEMBER delegates.
- (4) In respect of each delegate appointed or elected in terms of sub rule (3) the municipality and MEMBERS may appoint or elect, as the case may be, one (1) alternate to attend the annual general meeting in the absence of such delegate, and any alternate so appointed or elected shall, while attending the annual general meeting in the absence of the delegate so appointed or elected, be deemed to be the delegate so appointed or elected.
- (5) Every delegate and alternate elected by the MEMBERS in terms of sub rules (3) and (4) shall be elected in accordance with the provisions of RULE 4.3.

A COUNCILLOR who is a MEMBER of the FUND may represent either the MEMBERS or the COUNCILLORS, but may not represent both constituencies at the meeting. Such delegate shall have one (1) vote at the meeting for the constituency which the delegate represents at the time.
- (6) The municipality shall notify the PRINCIPAL OFFICER of the names and addresses of the appointed and elected delegates and alternates not later than six (6) weeks after receipt of the notice provided for in sub rule (2).

Where the abovementioned names and addresses of the appointed and elected delegates are notified to the FUND later than the six (6) weeks referred to above, the agenda documents will be handed to them at the annual general meeting.

- (7)
 - (a) Thirty (30) delegates shall constitute a quorum at the annual general meeting.
 - (b) Should a quorum not be present within thirty (30) minutes after the time stipulated for the commencement of the meeting, the meeting shall continue and the delegates then present shall form a quorum.
- (8) The chairperson of the BOARD OF TRUSTEES shall act as chairperson at the annual general meeting and, in the event of his being absent or unwilling to act or incapable of acting, the deputy chairperson of the BOARD OF TRUSTEES shall so act. Should both the chairperson and the deputy chairperson be absent from or be unwilling to act or be incapable of acting as chairperson at the annual general meeting, the remaining TRUSTEES shall elect one (1) of their members so present to act as chairperson.
- (9) At least six (6) weeks written notice of any motion for the annual general meeting shall be given to the PRINCIPAL OFFICER; provided that -
 - (a) the BOARD OF TRUSTEES may direct that any proposal which in their opinion, is in conflict with the provisions of either the RULES or the ACT or is of a purely administrative nature shall not be introduced and discussed or voted on at the annual general meeting;
 - (b) the chairperson of the annual general meeting shall permit the introduction and discussion of and voting on any proposal which the BOARD OF TRUSTEES have submitted to the annual general meeting for consideration.
 - (c) the annual general meeting may decide that any motion that has not been submitted timeously may be discussed as a motion of exigency.
- (10) Proposals for discussion at the annual general meeting may be introduced only by -
 - (a) the BOARD OF TRUSTEES;
 - (b) a COUNCILLOR delegate of a municipality if the proposal concerned has been duly approved at a meeting of the municipality represented by the delegate; or
 - (c) a delegate of MEMBERS if the proposal concerned has been duly approved at a meeting of MEMBERS held in terms of the provisions of RULE 4.3; or
 - (d) the PRINCIPAL OFFICER in a situation referred to in RULE 2.2.2(2)(b).
- (11) The PRINCIPAL OFFICER shall not less than four (4) weeks prior to the date of the annual general meeting send a notice stating the date, time and place of the annual general meeting together with a copy of the agenda, annual report, motions and financial statements to every delegate elected by MEMBERS or appointed by a municipality; provided that if no delegate is elected or appointed as aforesaid the PRINCIPAL OFFICER shall send a copy of the agenda, annual report and financial statements to the PARTICIPATING EMPLOYER for its information and the information of MEMBERS.
- (12) Every delegate and TRUSTEE present at the annual general meeting shall be entitled to one (1) vote except for an election of TRUSTEES as set out in RULE 2.2(3).
- (13) The chairperson of such meeting shall have a casting as well as a deliberative vote, except as provided for in sub rule (14).
- (14) Voting shall be by show of hands, unless at least five (5) delegates, by rising from their seats, request a vote by ballot. In the event of an equality of votes when voting by ballot the matter shall be determined by the chairperson by lot.

- (15) In the case of voting by ballot the PRINCIPAL OFFICER shall act as electoral officer and shall appoint persons to collect, scrutinise and count the ballot papers and to report the result thereof to the chairperson of the meeting. The chairperson shall announce the result of the ballot to the meeting.
- (16) In so far as a resolution of the annual general meeting is not in conflict with the provisions of any law or these RULES, it shall be binding on the BOARD OF TRUSTEES, PARTICIPATING EMPLOYERS and MEMBERS of the FUND.
- (17) TRUSTEES, who are not elected as delegates, may attend the annual general meeting and vote on any matter.

4.3 ELECTION OF MEMBER DELEGATES

- (1) A municipality shall convene a meeting of MEMBERS in the SERVICE of such municipality not later than five (5) weeks after receipt of the notice provided for in RULE 4.1(2) for the purpose of electing a delegate or delegates with an alternate or alternates to attend the annual general meeting.
- (2) Notice of the date, time and place of the meeting shall be given at least seven (7) days before the date thereof to each MEMBER; provided that non-receipt of such notice by any MEMBER shall not invalidate the proceedings at such meeting.
- (3) The MEMBERS present at such meeting shall form a quorum.
- (4) The meeting shall elect a member from those present to act as chairperson. Minutes of the proceedings of such meeting shall be kept by the chairperson or any person appointed for that purpose.
- (5) The chairperson shall at such meeting invite nominations for the required number of MEMBER delegates and alternates.
- (6) If the number of nominations received does not exceed the number of delegates or alternates which may be elected, the candidates so nominated shall be declared by the chairperson to have been duly elected.
- (7) If the number of nominations received exceeds either the number of the delegates or the number of alternates or both the number of delegates and the number of alternates which may be elected, as the case may be, the required number of delegates and alternates shall be elected by secret ballot.
- (8) A MEMBER shall not vote for more candidates than the number of delegates and alternates which may be elected in the MEMBER's constituency.
- (9) The chairperson of the meeting may appoint persons as scrutineers to count the votes immediately after the ballot.
- (10) If the validity of a ballot paper is in question or if there is a dispute between the scrutineers relating to the ballot, the matter shall be determined by the chairperson whose decision shall be final and binding. In the event of the chairperson having a direct or indirect interest in any such matter, he shall recuse himself and the meeting shall elect a person among those present to act as chairperson for the purposes of this RULE and until such matter is determined as hereinbefore provided by the chairperson so elected.
- (11) After the votes have been counted the chairperson and the scrutineers shall draw up a report indicating the result of the ballot.
- (12) The chairperson and scrutineers shall sign the report and the candidate or candidates who obtained the highest number of votes shall be declared by the chairperson to be duly elected.

- (13) The municipality shall submit to the PRINCIPAL OFFICER such report and a list of the names of every delegate and alternate elected in the timeframes prescribed in RULE 4.1(6).
- (14) The FUND must regard such report as an accurate reflection of the election.
- (15) MEMBERS may approve a motion at this meeting which will be submitted to the PRINCIPAL OFFICER for discussion at the annual general meeting, subject to the provisions of RULES 4.1(9) and (10).