



**Survey concerning possible amendments of the 2008
RERA Constitution**

Summary of Results

November 2023

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1 Background

The current RERA Constitution was ratified in in 2008 and has served its purpose. More recently, a number of RERA members and Rooielsers have expressed the view that the Constitution should be changed/amended to take into account lessons learned. Valuable work has taken place, in particular during 2021 and 2022. A justification for changing the 2008 Constitution, as well as two proposals for a new/amended Constitution can be found on the [Rooiels website](#) together with the existing RERA Constitution. Furthermore, opportunities have emerged to explore how to foster inclusive engagement and constructive deliberations in Rooiels that respect diverse views and promote solutions embraced by the community.

2 Purpose of the survey

Given the importance of obtaining buy-in for any change to the current RERA Constitution, the 2023 RERA Exco initiated a consultation process that was open to all Rooielsers. One element in this process was as survey administered in October 2023 to elicit initial views of RERA Members and other Rooielsers. The objectives of the survey were to:

- gauge feedback concerning the interest in changing the RERA Constitution
- elicit input on priorities for addressing possible gaps and short-comings
- obtain initial feedback on RERA becoming a more open and inclusive organization
- raise awareness of possible further activities concerning constitutional change

3 Participation

By October 31 2023, 55 responses were received of which 92.7 % were from ERF owners and the remainder from tenants (7.3 %). About two thirds of respondents (61.8%) have been in Rooiels for more than 5 years, while about one third (38.1%) have been in Rooiels less than five years. The largest majority of respondents were RERA members (83.3) while 16.7 % were not members of RERA. Concerning engagement in future activities to reform the Constitution, 60 % of respondents agreed that they are interested to continue to participate.

4 Summary outcomes

Important summary outcomes of the survey include the following. The rationale and details are provided in the sub-subsequent sections of the document.

- There is support in the Rooiels community to amend the 2008 RERA Constitution.
- Amendments to the Constitution should consider how to engage members in decision-making and consult with Rooiels Erf owners and other residents.
- The RERA Constitution should be easily understood. A balance needs to be achieved to it simple, while ensuring it provides sufficient detail.
- Possible future amendments on the Constitution should cover:
 - Objectives and Functions of the Constitutions;
 - Inclusiveness and Membership;
 - the Role of the Executive Committee, and
 - Communication
- The current approach to link RERA membership to the payment of an annual fees should be maintained.
- Given the interest by many Rooielsers to engage in future work on the Constitution undertaking such work through a participatory process is important.

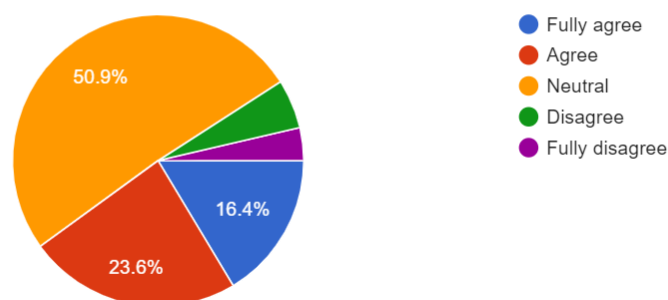
5 Quantitative results

5.1 Is there a need and support for amending the RERA Constitution?

While about half of the respondents (50.9 %) responded neutral on the question, if the current RERA Constitution has shortcomings which need to be addressed, 40 % fully agreed or agreed with this statement, with 10 % fully disagreeing or disagreeing. This suggests that there is some support in the community for amending the Constitution.

The current RERA Constitution has short-comings/gaps which need to be addressed.

55 responses

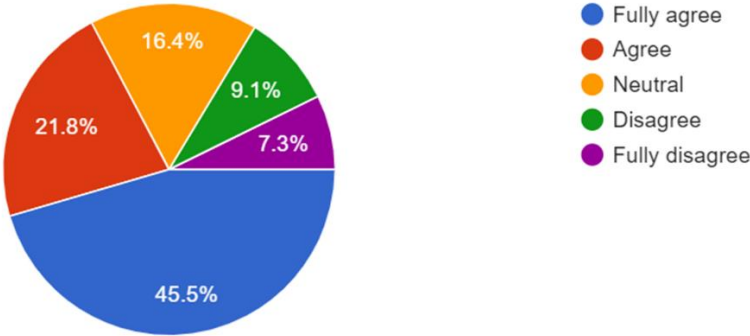


5.2 Should RERA become representative of all ratepayers and residents?

An strong majority of respondents (67.3 %) fully agreed or agreed with the statement that the RERA Constitution should ensure that RERA represent all Rooiels Ratepayers and residents and not just its members (all erf owners are currently eligibile to become members) This points to an opportunity, for example, to reflect on how the Constitution can ensure that the views of all erf owners and residents are elicited, or membership be broadened.

The RERA Constitution should ensure that the association represents all Rooiels ratepayers and residents (and not just its members).

55 responses

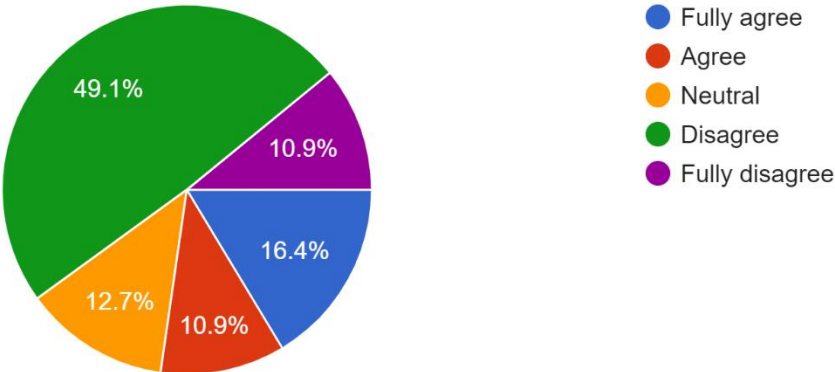


5.3 Should membership in RERA be free?

Almost two thirds of respondents fully disagreed or disagreed with the statement to make RERA membership free and to fund the association through voluntary contribution. This suggest that the current system to link membership to the payment of annual fees should be maintained.

RERA membership should be free and financial contributions be voluntary.

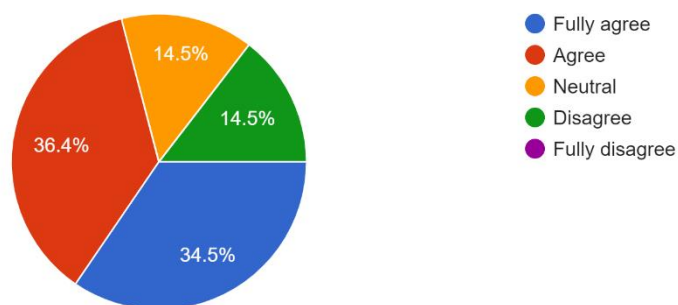
55 responses



5.4 Should the Consitution be short, concise and easy to digest?

More than two thirds of the respondent (70.9 %) support a statement that the RERA Consitution should be short, concise and easily digestible. This suggests that the RERA Constitution should a document which speaks to and is understood by all Rooielsers.

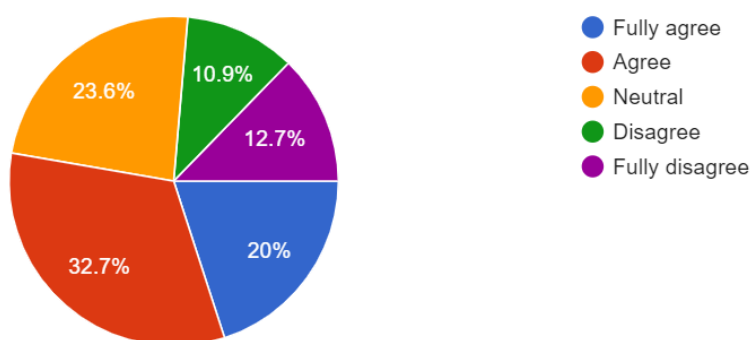
The RERA Constitution should be a concise and short document that can be easily digested.
55 responses



At the same time, a majority of 52.7 % fully agreed or agreed with a statement that the Consitution should be a thorough document that covers all eventualities. This suggest that a fine balance needs to be achieved to keep the Consitution simple, while ensuring it provides sufficient detail.

The RERA Constitution should be a thorough document that covers all eventualities.

55 responses



6 Summary of written inputs

This section features comments provided by survey respondents. While they may provide valuable input for future work, they are not necessarily representative.

6.1 General guiding considerations

Respondents shared a number of suggestions and ideas which may be relevant for and inform future work on the RERA Constitution. They include the following:

- The Constitution should reflect the simplicity of our village and our collective desire that it remains that way.
- Though the Constitution should be as accessible as possible, it is critical that it conforms to the current norms, standards and legal requirements for documents of this nature.
- The Constitution should be simple and flexible and provide sufficient flexibility to adopt to upcoming needs. This may encompass the freedom to add attachments and annexes.
- The readability of the Constitution should be improved.
- The Constitution should comply with acceptable norms around the contents of a constitution
- There must be compelling reasons to amend the Constitution. The current one is flexible enough.
- I suggest to redo critical elements first and then the entire Constitution.

6.2 Emerging priority themes

An analysis of written inputs re suggests a number of themes which future work on the Constitution should address.

Emerging Priority Themes



Relevant comments received from the survey are grouped under each them below.

Objectives and Functions

- The Constitution should be founded on the Rooiels Vision, or else the essence of why we all bought here will be destroyed.
- Clarity is needed how the existing Rooiels Vision affects the associations mandate.
- Clarity and transparency is needed concerning the representation of RERA to the various Overstrand meetings, meetings to be attended, issues to be discussed, and RERA positions.
- RERA needs to, and do, report back to all of Rooiels on issues in the Ward. Individuals are still expected to engage directly with OM on issues that directly affect them.
- Important that RERA is able to represent all those who want to keep Rooiels natural and who will work to ensure that the OM reinforces rather than undermines that in service delivery.
- Do not attempt to roll up REC into RERA or attempt to create an organizational hierarchy
- RERA should not take one sided decisions and not get involved in litigation

Inclusiveness and Membership

- The current Constitution not inclusive of all Rooielsers
- The Constitution only represents associated members (applied, paid and ratified) and not all ratepayers of Rooiels and the surrounding smallholdings
- As a ratepayer one should automatically be a member of RERA
- One cannot force people to belong to one organisation or another.
- Membership must be redefined to clarify the types, application process, and limits.
- Remove payment to be a voting member.
- People should pay fees to be represented. Why should some people cover the costs and then everyone gets the same level of voice.

Role of the Executive Committee

- The RERA Exco has too much unqualified authority.
- Exco seems to be able to make important decisions without consulting the wider community.
- Exco needs to be more accountable to members.
- Clear executive mandate needed for Exco.
- Limit authority of Exco to make important decisions (e.g. no more than 25% of annual fees)
- Election process of office-bearers must be clarified.
- Ensure that candidates Exco present their proposed plan for the year.
- Committee members should not have loyalties to competing unelected bodies
- Chairman to be called « chairperson.
- It will not be possible that everyone agreeing on everything given many different opinions. The Constitution should create rules to structure the interaction.
- The current constitution does not require the Executive Committee to engage in consultation, seek mandates from its members and be transparent in its agenda

- RERA Exco sometimes makes decisions about important things which should be referred to the wider community
- The Constitution should support deliberations to find solutions and compromises. More meetings to discuss important, maybe controversial issues.
- Full community participation and decisions should be by majority vote. Decision making based on votes of people attending meeting and accepting majority there.
- There should be provisions for online participation/voting and web based tools.
- General meetings and minutes should record who proposed issue, who seconded them and record votes taken so that 'how' decisions are made and ratified is transparent.
- Governing of proxies and quota at rescheduled general meetings to avoid hostile takeovers
- If rental residents are included in RERA some properties may have two votes.

Communication

- Minutes should be easily and publicly available so that even future buyers can access them.
- Correspondence between RERA Exco and residents should be in one public space with no 'behind the scenes' correspondence.
- People are more likely to engage actively in decision making when provided with clear information, preferably not too much of it, followed by in person meetings which allow for discussion.

Other remarks

- Consider the creation and installation of the role of an Ombudsman, which may act as a middle-man in cases of controversies.
- If building plans are approved by governing bodies it should stand and we should adhere to it.
- I just want to live in peace, enjoy my holiday home without all the drama.