

CONSTITUTION

1. NAME AND REGISTERED ADDRESS

- 1.1 The Association shall be known as Persatuan Juruukur Tanah Berdaftar dan Berlesen, Sabah (The Association of Registered and Licensed Land Surveyors, Sabah) hereinafter known as the Association.
- 1.2 Its registered address shall be Suite Nos. B-3-2, B-3-3, B-3-3A&B-3-5, 3rd Floor, Block B, Plaza Tanjung Aru, Jalan Mat Salleh, 88100 Kota Kinabalu, W.D.T.462, 88838 Kota Kinabalu or at such other place or places as may from time to time be decided by the Executive Committee.
- 1.3 There shall be a logo for the Association. It shall contain two concentric circles. The area between the two concentric circles shall be yellow in colour containing the name of the Association. The inner circle encloses the map of Sabah of white in colour containing the word SAJUTA of red in colour. The rest of the area within the inner circle be blue in colour.

2. AIMS AND OBJECTS

The aims and objects of the association shall be as follows:

- 2.1 To respect and uphold the integrity of the land surveying profession and the objects of the Institution of Surveyors Malaysia, (Sabah Branch), and the Surveyors Board of Sabah.
- 2.2 To foster, maintain and preserve the integrity and status of Members of the Association, to sustain honourable practice, to discourage malpractice and to encourage actively the strict observance of the Code of Professional Conduct prescribed by the Association, and the Scale of Fees approved from time to time by the Federal Government or the State Government of Sabah or the Surveyors Board of Sabah.
- 2.3 To emphasize the role and usefulness of Registered & Licensed Land Surveyors to the community.
- 2.4 To provide the appropriate Authorities with advice and/or information on disputed points of practice and on all questions of professional usage and conduct which are considered likely to affect members of the Association.

- 2.5 To maintain and make available to the public an up-to-date list of members of the Association.
- 2.6 To inculcate in its members their professional responsibility of maintaining individual continuing professional development.

3. MEMBERSHIP

- 3.1 The membership of the Association shall comprise five categories, namely, Corporate Membership, Registered Membership, Associate Membership, Honorary Membership and Fellow Membership. Such certificates shall be the property of the Association.
- 3.2 Every new member shall immediately upon his election pay his subscription for the then current year and no election shall become effective until such subscription shall have been paid.
- 3.3 All annual subscriptions shall be due on 1st January of each year, and must be paid before 28th February of that year, and if not paid, may result in the rights of membership of such members being suspended after they have been notified of the same. If the annual subscriptions are still not paid by 30th April of the year, the membership of such member shall be deemed to have been terminated. Applications for the renewal of membership of such persons shall be in accordance with article 3.4.
- 3.4 Any person desirous of becoming a member of the Association or wishing to renew membership that has been terminated, shall submit an application to the Association in the prescribed form. For renewal of membership, this application shall be accompanied by the annual subscription and any outstanding sum that should have been paid if such membership has not lapsed or terminated.

3.5 QUALIFICATION AND RIGHTS OF CORPORATE MEMBERSHIP

3.5.1 Any person wishing to become a Corporate Member shall

- a) Be a person registered by the Surveyors Board of Sabah;
- b) Hold a valid license to practice issued by the Surveyors Board of Sabah;
- c) Be actively engaged in the profession of Land Surveying;

- d) Maintain a proper office or corporate from a satisfactory place of business and the name under which the practice is conducted, shall not in the opinion of the Executive Committee, be misleading or objectionable; and
- e) Be accepted by the Executive Committee

3.5.2 All applications for Corporate Membership shall be approved or rejected by the Executive Committee.

3.5.3 Corporate Members of the Association are entitled to participate in all the activities of the Association, to hold office and to vote at any General Meeting of the Association.

3.6 QUALIFICATION AND RIGHTS OF REGISTERED MEMBERSHIP

3.6.1 Any person wishing to become a Registered Member shall

- a) Be a person registered by the Surveyors Board of Sabah, but because of non-compliance with the statutory residential qualification, or because of any other reason whatsoever, is not issued with a valid license to practice by Surveyors Board of Sabah; and
- b) Be accepted by the Executive Committee.

3.6.2 All applications for Registered Membership shall be approved or rejected by the Executive Committee.

3.6.3 Registered Members of the Association are entitled to participate in all the activities of the Association and to vote at any General Meeting of the Association, but not to hold office.

3.7 QUALIFICATION AND RIGHTS OF ASSOCIATE MEMBERSHIP

3.7.1 Any person wishing to become an Associate Member shall

- a) Be a person articled to a person registered and holding a valid license to practice issued by the Surveyors Board of Sabah; or
- b) Be a person having a surveying degree acceptable to the Surveyors Board of Sabah;

c) Be accepted by the Executive Committee.

3.7.2 All applications for Associate Membership shall be approved or rejected by the Executive Committee.

3.7.3 Associate Members of the Association are entitled to participate in all the activities of the Association but not to hold office or to vote at any General Meeting of the Association.

3.8 QUALIFICATION AND RIGHTS OF HONORARY MEMBERSHIP

3.8.1 Any person wishing to become a Honorary Member shall

a) An Honorary membership shall be a person who by virtue of his/her position experience, or of his eminence in science, may render assistance in promoting the objectives of the Association of Registered & Licensed Land Surveyors Sabah, but who is not engaged in practice as a surveyor in Sabah.

b) A person recommended by the Executive Committee members of the Association may be conferred an Honorary Membership.

c) An Honorary Member may attend any Annual / Extraordinary General Meeting (AGM / EGM). However, he shall have no right of voting discussing, or otherwise intervening in the affairs of the Association. He shall not be called upon to contribute to its fund, unless voluntarily by his or her own accord.

3.9 QUALIFICATION AND RIGHTS OF FELLOW MEMBERSHIP

3.9.1 Any person wishing to become a Fellow Member shall

a) A Fellow Membership shall be a member who has served at least two terms as president of SAJUTA or 15 years as an executive committee member of the Association.

b) A person recommended by the Executive Committee members of the Association may be honored a Fellow Membership.

c) A Fellow Membership may attend any Annual / Extraordinary General Meeting (AGM / EGM). He may have one voting right, discussing or

contributing to the affairs of the Association. He shall not be called upon to contribute to its fund, unless voluntarily by his own accord.

3.10 DESIGNATIONS

3.10.1 Every Corporate or Registered Member shall be entitled to use after his name the initials MALS i.e., Member of the Association Registered & Licensed Land Surveyors, Sabah.

3.10.2 Every Associate Member may indicate his membership in the Association, thus AMALS. (Associate Member of the Association of Registered & Land Surveyors, Sabah).

3.10.3 Every Honorary Member may indicate his membership in the Association, thus HMALS. (Honorary Member of the Association of Registered & Land Surveyors, Sabah).

3.10.4 Every Fellow Member may indicate his membership in the Association, thus FMALS. (Fellow Member of the Association of Registered & Land Surveyors, Sabah).

3.10.5 All Corporate are entitled to use the prefix '**LS**' (Licensed Surveyor) and '**RS**' (Registered member) for registered member to their names provided their annual subscriptions, dues and levies are not in arrears.

4. THE EXECUTIVE COMMITTEE

4.1 There shall be an Executive Committee of the Association.

4.2 The Executive Committee shall direct and manage the affairs of the Association, and it shall be its paramount duty to actively take any steps may be necessary to implement the objects of the Association.

4.3 a) The Executive Committee shall consist of the following;

President

Vice President

Honorary Secretary

Honorary Treasurer

Three Ordinary Executive Committee Members

Provided that five of them shall be members, whose principal business offices, at the time of election, are situated in Kota Kinabalu, Sabah.

The Immediate Past President will also serve on the Executive Committee.

The members of the Executive Committee and every officer performing executive functions in the Association shall be Malaysian citizens. However non-Malaysian citizens may hold office with the prior approval of the Registrar of Societies.

- 4.4 The Executive Committee may if it considers necessary for the more efficient conduct of the affairs of the Association, appoint additional Corporate Members of the Association to the Executive committee; provided that not more appointed members may serve on the Executive Committee at any time.
- 4.5 The Executive Committee shall be elected at the Annual General Meeting for a period of two years. Names of the above officers, except for the post President and Honorary Secretary, shall be proposed and seconded and election shall be by a simple majority vote. The President and the Hon. Secretary will be appointed by the Executive Committee from amongst the Corporate Members of the Association for a period of two years.
- 4.6 The Executive Committee shall, subject to article 4.13 hold office during the session of the Association.
- 4.7 The Executive Committee may co-opt any Corporate Member to fill any vacancy that arises.
- 4.8 A quorum for the Executive Committee meeting shall be one-half of the Executive Committee. In the absence of the President and Vice President, the members present shall elect from among themselves, an acting Chairman for that particular meeting.
- 4.9 The Executive Committee may appoint sub-committees for specific purposes. The membership of such sub-committees shall not be limited to members of the Executive Committee only.
- 4.10 The Executive Committee shall meet as often as the business of the Association may require, but at least once in every three months and 7 days' notice of each meeting shall be given to the members.

- 4.11 All questions shall be decided in the Executive Committee by a show of hands, unless a secret ballot be demanded by not less than one-quarter of the members present. The person presiding shall have a casting vote.
- 4.12 The Executive Committee shall draw up an Annual Report on the activities of the Association and The Annual Statement of Accounts, together with the Balance Sheets of the Association, for presentation at the Annual General Meeting.
- 4.13 The Executive Committee shall continue in office unless a resolution shall have been passed by two-thirds of the total Corporate and Registered Membership of the Association voting in favour of the dissolution of the Executive Committee at a General Meeting duly convened for that purpose.

5. GENERAL MEETING

- 5.1 The supreme authority of the Association is vested in a general meeting of the members. At least, one-half of the total number of Corporate and Registered Members or twice the total number of members of the Executive Committee, whichever is the lesser must be present at a general meeting for its proceedings to be valid and to constitute a quorum.
- 5.2 If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding 30 days) to be decided by the Executive Committee; and if a quorum is not present half an hour after the time appointed or the postponed meeting, the members present shall carry on with the business of the day but they shall not have power to alter the Constitution and Bye-Laws of the Association or to make decisions affecting the whole membership.
- 5.3 Voting at a General Meeting shall be by a show of hands, or by secret ballot, if so, demanded by the person presiding, or by not less than one quarter of the Corporate and Registered Members present and voting. A ballot may be taken even when voting has been done by a show of hands, Proxies will be taken into account when voting is by ballot.
- 5.4 Each Corporate or Registered Member present or re-presented by a valid proxy shall have one vote. The person presiding has a casting vote in addition to his original vote.
- 5.5 An Annual General Meeting of the Association shall be held as soon as possible after the close of each financial year but not later than 30th of April on a date and

at a time and place to be decided by the Executive Committee. The business of the Annual General Meeting shall be;

- 5.5.1 To receive and deliberate upon the report of the Executive Committee, the Treasurer's report and the audited Annual Account;
 - 5.5.2 Subject to para 4.5, to elect the Executive Committee member for the ensuing period.
 - 5.5.3 To appoint the Honorary and Professional Auditors; and
 - 5.5.4 To consider any other matter tabled by the Executive Committee and any other matter of which seven (7) days' prior notice shall have been given to the Honorary Secretary.
- 5.6 A preliminary notice of the Annual General Meeting stating the date, the time and the place, and calling for motions for discussion, motions for amendment of the Constitution and Bye-Laws and nomination for the election of the Executive Committee shall be sent by the Honorary Secretary to all members not later than 30 days before the date fixed for the meeting, and this notice shall also be prominently displayed at the registered address or place of meeting of the Association.
- 5.7 Nominations for the election of officers and motions for discussion at the meeting must be sent to reach the Honorary Secretary not less than 7 days after the receipt of the preliminary notice.
- 5.8 The Honorary Secretary shall send to all members at least 7 days before the meeting, an agenda including copies of minutes and reports, motions and nominations for the election of officers, together with the audited accounts of the Association for the previous year. Copies of these documents will also be made available at the registered address or place of meeting of the Association for the perusal of members.
- 5.9 An Extraordinary General Meeting of the Association shall be convened;
- 5.9.1 Whenever the Executive Committee deems it desirable, or
 - 5.9.2 At the joint request in writing of not less than one-third of the corporate membership, specifying the particular subjects to be discussed at such Extraordinary General Meeting.

- 5.10 An Extraordinary General Meeting requisitioned by members shall be convened for a date within 30 days of the receipt of such requisition.
- 5.11 Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Honorary Secretary to all members at least 30 days before the date fixed for the meeting. Such notice may be sent by post.
- 5.12 The notice shall state the reasons for calling Extraordinary General Meeting and shall also give the full text of the business to be conducted, supplemented by explanatory notes, if necessary.
- 5.13 The business of any Extraordinary General Meeting shall be limited to the subject or subjects stated in the Notice calling that Extraordinary General Meeting.
- 5.14 Paragraph 5.1 and 5.2 of this rule regarding the quorum and the postponed of an Annual General Meeting shall apply also to an Extraordinary General Meeting, but with the proviso that if no quorum is present after half an hour from the time appointed for a postponed Extraordinary General Meeting requisitioned by members, the meeting shall be cancelled and no Extraordinary General Meeting shall be requisitioned for the same purpose until after the lapse of at least 6 months from the date thereof.

BYE-LAWS

1. SUBSCRIPTION AND LEVIES

1.1 The Association in a General Meeting shall be empowered to approve levy or levies on the Corporate and Registered Members and such levies shall not exceed the annual subscription. Any Corporate Member failing to pay a levy within one month of notice thereof from the Hon. Secretary of the Association, shall be disqualified from taking part in any proceedings of the Association, until such time as the amount has been paid.

1.2 The entrance fee and annual subscription payable shall as follow: -

	Corporate Member -----	Registered Member -----	Associate Member -----
Entrance Fee	RM500.00	RM75.00	RM100.00
Annual Subscription	RM500.00	RM75.00	RM100.00

Any increase in the entrance fee and annal subscription payable by the above categories of membership shall be determined by the Executive Committee and subsequently approved at a General Meeting and shall be effective from the date approval by the Registrar of Societies.

2. ACCOUNTS

2.1 The Executive Committee shall cause proper books of account to be kept with respect to: -

2.1.1 All sums of the money received and expected by the Association and the matters in respect of which the receipt and expenditure take place; and

2.1.2 The assets and liabilities of the Association.

2.2 Proper books shall not be deemed to be kept if such books do not reflect a true state of the affair of the Association.

2.3 The Books of account shall be kept at the office of the Association or at such place or places as the Executive Committee may deem fit, and shall always be open to the inspection of the Members of the Executive Committee, the Honorary Auditors, the Professional Auditor and ant Sub-Committee appointed by the Executive Committee for any purpose.

- 2.4 Members of The Association shall have the right to inspect any account, book or document relating to the financial affairs of the Association provided due notice shall be given to the Executive Committee.
- 2.5 The Executive Committee shall present before the Association at each Annual General Meeting the following:
- 2.5.1 Receipts and Payment Account giving a true and fair view of the income and expenditure of the Association for the period of the proceeding financial year;
 - 2.5.2 A Balance sheet giving a true and fair view of the state of the financial affairs of the Association as at the end of the proceeding financial year; and
 - 2.5.3 A report with respect to the general affairs of the Association.
- 2.6 The appointed Professional Auditor shall make a report in writing to the Members on the accounts examined by him and on all Annual Accounts during his tenure of office, in accordance with the statutory requirements of Malaysia.
- 2.7 The Honorary Auditors shall examine and sign the Annual Accounts after they have been audited by the Professional Auditor.
- 2.8 Every copy of the Annual Accounts shall have annexed thereto the report of the Professional Auditor.
- 2.9 Not less than seven days before the date of the Annual General Meeting at which the Annual Accounts are to be presented before the Association, a copy thereof, as well as a copy of the Professional Auditors report shall be prominently displayed at the office of the Association and copies shall be sent to all members together with the agenda of Annual General Meeting.
- 2.10 FINANCIAL PROVISIONS
- 2.10.1 Subject to the following provisions in this Bye-Law, the funds of the Association may be expended for any purpose necessary for the carrying out of its objects, including the expenses of its administration, the payment of salaries, allowances and expenses of its office-bearers and paid staff, and the audit of its account, but they shall on no account be used to pay the fine of any member who may be convicted in a court of law.

- 2.10.2 The Honorary Treasurer may hold a petty cash advance not exceeding Ringgit Two Hundred (\$200.00) at any one time. All money in excess of this sum shall within seven (7) days of receipts be deposits in a bank approved by the Executive Committee. The bank account shall be in the name of the Association.
- 2.10.3 All cheques or withdrawal notices on the accounts of the Association shall be signed by the Honorary Treasurer and any one of the following, namely, the President, the Vice President or the Honorary Secretary. If any of the above-mentioned office-bearers should die or resign during his tenure of office, the Executive Committee shall appoint one of its Members to sign in his place until next set of office-bearers be appointed or elected at the Annual General Meeting.
- 2.10.4 No expenditure exceeding Ringgit Five Thousand (\$5,000.00) in any one time shall be incurred without the prior sanction of the Executive Committee, and no expenditure exceeding Ringgit Ten Thousand (\$10,000.00) in any one month shall be incurred without the prior sanction of General Meeting, provided that any disbursement from the surveyors Board of Sabah for the Continuing Professional Development Programme for the benefit of the Corporate Members shall be excluded from this provision.
- 2.10.5 As soon as possible after the end of each financial year, a statement of receipts payment and balance sheet for the year shall be prepared by the Honorary Treasurer and audited by the Auditor/Auditors appointed under Bye-Laws 3. The audited accounts shall be submitted for the approval of the next General Meeting, and copies shall be made available at the registered office or place of meeting of the Association for the perusal of the members.
- 2.10.6 The date of commencement of the financial year of the Association shall be from 1st January and shall end on 31st December annually.

3. PROFESSIONAL AUDITOR & HONORARY AUDITORS

3.1 Appointments of Auditors

- 3.1.1 At each Annual General Meeting the Association may appoint a Professional Auditor and two (2) Honorary Auditors to hold office from the conclusion of the next Annual General Meeting.

- 3.1.2 The Executive Committee may fill any casual vacancy in the office of Professional Auditor and Honorary Auditors.
- 3.1.3 A person shall not be qualified for appointment as Professional Auditor unless he is a member of a body of accountants recognized by laws of Malaysia, the Honorary Auditors shall be elected from amongst the Corporate Members, who are not office-bearers.
- 3.2 The appointed Professional Auditor shall have the right of access at all times to the books, accounts and vouchers of the Association and shall be entitled to require from any member belonging to any category of membership or from any servant of the Association such information and explanations as he thinks necessary for the performance of his duties.

The Professional Auditor shall be entitled to attend any Annual or Extraordinary General Meeting and to receive all notices of any communication regarding the same, which any member is entitled to receive, and to be heard at any meeting which he may attend, or any part of the business of the meeting which concerns him as the Professional Auditor.

4. CODE OF PROFESSIONAL CONDUCT

- 4.1 Every member (and hereinafter the word importing or signifying or meaning 'Member' shall include 'Corporate Member', 'Registered Member' or 'Associate Member' insofar as is applicable) shall observe and be guided by the following provisions of the Code of Professional Conduct: -
- 4.1.1 Every Members shall order his conduct so as to uphold the dignity, standing and reputation of the Profession.
- 4.1.2 Every Member shall not canvass or solicit professional employment nor offer to make by commission or other payment for the introduction of such employment.
- 4.1.3 Every Member may only exhibit plates and signs at his place or places of business exhibiting his name, titles and professional qualifications and may only advertise for a period not exceeding three (3) months the commencement of practice in any new place or formation or dissolution of a partnership.

- 4.1.4 Every Members shall be remunerated solely by the fees payable by his client as approved by the Federal/State Government and the Surveyors Board of Sabah.
- 4.1.5 Every Member shall not, directly or indirectly attempt to supplant another Member nor shall he intervene or attempt to intervene in or in connection with survey work of any kind which to his knowledge has already been entrusted to another member nor shall be review or take over the work of that other Member acting for the same client, until he has either obtained the consent of that Member or has been formally notified by the client that the engagement of that Member with the work has been properly terminated.
- 4.1.6 Every Member shall not assume or consciously accept a position in which his interest is in conflict with his professional duty.
- 4.1.7 Every Member shall not maliciously injure or attempt to injure, whether directly or indirectly, the professional reputation, prospects or business of another Member.
- 4.1.8 Every Member shall not without the concurrence of the Association enter into professional partnership with any person other than a Professional Engineer in Private Practice, a Registered Architect, a Registered Surveyor or a Professional Land Surveyor.
- 4.1.9 Every Members shall not: -
 - 4.1.9.1 Offer any financial inducement to secure instructions;
 - 4.1.9.2 Undertake or offer to undertake work for charges which in the opinion of the Executive Committee would be unfair to others Members; or
 - 4.1.9.3 With the object of securing instructions attempt to compete with another Member on the basis of fees.

4.2 DISCIPLINARY POWERS OF THE EXECUTIVE COMMITTEE

- 4.2.1 The Executive Committee shall have the following powers: -
 - 4.2.1.1 Offer any financial inducement to secure instructions;

- 4.2.1.2 To suspend a member from exercising any rights of privileges of membership of the Association for such period or on such conditions as the Executive Committee may determine;
- 4.2.1.3 To expel a Member from the Association.
- 4.2.2 The Executive Committee may expel a Member convicted of embezzlement, larceny, fraud or other criminal offence upon proof of their satisfaction of such conviction.
- 4.2.3 The Executive Committee may temporarily suspend a member pending an enquiry as hereinafter provided.
- 4.2.4 The Executive Committee may after enquiry as hereinafter provided expel, suspend or reprimand a member who: -
 - 4.2.4.1 in their opinion has been guilty of professional misconduct; or
 - 4.2.4.2 has violated any of the provisions of the Code of Conduct;
 - 4.2.4.3 uses any professional designation or initials to which he is not entitled; or
 - 4.2.4.4 being in practice as a surveyor, he permits his name or the name of his firm to be used by persons who are not Members of the Association.

4.3 DISCIPLINARY OF PROCEDURE

- 4.3.1 The Executive Committee may hold or order an enquiry into the conduct of any Member on the written request of not less than 5 Members or on grounds which appear fair to the Executive Committee.
- 4.3.2 The Executive committee shall at their first meeting after the Annual General Meeting appoint from the Members of the Executive Committee a standing sub-committee (hereinafter called 'the Disciplinary Sub-Committee') to which all matters of professional conduct shall be referred, provided that in any particular case the Executive Committee may resolve: -
 - 4.3.2.1 To enquire into the case themselves; or
 - 4.3.2.2 That the case be referred to the Disciplinary Sub-Committee.

- 4.3.3 The Disciplinary Sub-Committee shall comprise five members and at least one-half of the members must be present for its proceedings to be valid and to constitute a quorum. The Disciplinary Sub-Committee shall elect a chairman.
- 4.3.4 Any matter of professional misconduct shall, unless the Executive Committee otherwise direct, be considered in the first instance by not less than two Members of the Disciplinary Sub-Committee, of whom the Chairman shall be one, who shall if they are satisfied that a prima facie case for inquiry exists order that the case (hereinafter called 'the complaint') be referred to be the Disciplinary Sub-Committee for investigation, and a notice of complaint as hereinafter provided, signed by the Honorary Secretary, shall be served upon the Member concerned.
- 4.3.5 The Member against whom the complaint has been lodged, will be entitled to the following procedure: -
- 4.3.5.1 The Member concerned shall be entitled or appear before the Disciplinary Sub Committee or Executive Committee as the case may be end to rebut or explain the matters of which complaint is made either personally or in writing, provided he files the notice or reply prescribed in the succeeding sub-paragraph of this paragraph.
- 4.3.5.2 Within thirty (30) days of the service upon him of a notice of complaint the Member concerned may deliver or send by post to the Honorary Secretary either a notice of intention to appear or a reply to the charges or both.
- 4.3.5.3 If the Member concerned fails to file such notice or reply to the Disciplinary Sub Committee or the Executive Committee may consider and act upon the complaint without further reference to him.
- 4.3.6 Any notice sent pursuant to paragraph 4.3.4 of the Bye-Law shall be sent by registered post to the last known address of the member concerned. The notice shall contain short particulars of the complaint and state the date, time and place of the meeting at which the complaint will be considered. It shall call upon the Member to rebut or explain the matters of which complaints is made either in writing or personally or both, and notify him that his reply or notice or intention to appear must be received by the Secretary within thirty (30) days of the service upon him of the

notice, and the right of the Disciplinary Sub-Committee to proceed in his absence.

- 4.3.7 The Disciplinary Sub-Committee shall have power to extend the time within which a reply or notice of intention to appear must be made and to alter the date of the meeting, adequate notice of such alteration being given to the Member concerned.
- 4.3.8 On conclusion of their enquiry, the Disciplinary Sub-Committee shall report its findings to the Executive Committee with recommendation either: -
 - 4.3.8.1 To dismiss the charge against the Member; or
 - 4.3.8.2 To take appropriate action under Bye-Law 4.2
- 4.3.9 A notification shall be sent by the Honorary Secretary to the Member concerned of the decision of the Executive Committee and the effect thereof.
- 4.3.10 If a Member has been expelled by the Executive Committee, his name shall be removed from the Registered of the Association, and he shall thereupon cease for all purposes to a Member of the Association. He shall not use any designation or description implying Membership or former Membership of the Association and shall immediately return his Certificate of Membership, if applicable.
- 4.3.11 If a Member has been suspended by the Executive Committee, he shall not use any designation or description implying Membership or former Membership of the Association during his suspension.
- 4.3.12 No member shall be entitled to resign from the Association after he has been notified of the commencement of any proceeding against him under the provisions of this Bye-Law until such proceeding have been concluded.
- 4.3.13 The Executive Committee shall be entitled to proceed with the expulsion of a Member under Bye-Law 4.2 and to publish a notice of such expulsion, notwithstanding the resignation or purported resignation of such member.
- 4.3.14 When a Member has been expelled, the Executive Committee shall publish that fact together with his address in the general press, such publication may include the penalties imposed.

4.3.15 A suspended Member remains subject to the Code of Professional Conduct and other Regulations.

4.4 RESIGNATION

4.4.1 Any member in any category can resign by sending a letter of resignation to the President to the President or the Honorary Secretary.

4.4.2 Subject to the provision of Bye-Law 4.3.12, the resignation takes effect from the date specified in the letter of resignation or any other date provided by the Executive Committee.

4.4.3 Subscription levies and other debts remaining unpaid at the date of resignation shall be immediately settled by the outgoing member. He shall also continue to be responsible for any responsibility and/or liability falling on him as a Member during the period of his membership of the Association which has not yet been discharged.

5. REINSTATEMENT

5.1 The Executive Committee shall have power at any time to reinstate in his former rank as a Member any person who has been expelled or whose name has been removed from the Register of the Association, or suspended for any period either unconditionally or upon such terms as to payment of arrears of subscription or sum in lieu of subscription, during the period of expulsion, or otherwise as to them may seem expedient, provided such person makes application for reinstatement in writing as prescribed by the Executive Committee.

5.2 Any application for reinstatement may be referred by the Executive Committee to the Disciplinary Sub-Committee for investigation.

6. DUTIES OF THE EXECUTIVE COMMITTEE AND PERMANENT STAFF

6.1 THE PRESIDENT

6.1.1 The President shall be Corporate Member of the Association. It shall be his duty to deliver an address at opening of each General Meeting. He shall preside at all General Meeting of the Association, and of the Executive Committee Meetings at which he is present, and shall regulate the proceedings. He shall have the casting vote.

6.2 THE VICE PRESIDENT

6.2.1 The Vice President shall be Corporate Member of the Association and in the absence of the President at any General Meeting or Executive Committee Meetings it shall be his duty to preside in his place.

6.3 THE HONORARY SECRETARY

6.3.1 The Honorary Secretary shall conduct the business of the Association in accordance with its rules, and shall carry out the instructions of the General Meeting, and of the Executive Committee. He shall be responsible for conducting all correspondence and keeping all books, documents and papers except the account and financial record the proceedings. He shall maintain a membership register. He also be responsible for such other duties as may be specified from time to time by the Executive Committee.

6.4 THE HONORARY TREASURER

6.4.1 The Honorary Treasurer shall be responsible for the finances of the Association. He shall keep accounts pf all its financial transactions and shall be responsible for their correctness. He shall also responsible for such other duties as may be proceedings. He shall maintain a membership register. He also be responsible for such other duties as may be specified from time to time by the Executive Committee.

7. THE PERMANENT STAFF

7.1 The Executive Committee may appoint an Executive Secretary and such other permanent staff and servant as may be necessary for conducting the affairs of the Association. The duties of the Executive Secretary shall be such as the Executive Committee may from time to time determine.

8. PROXY

8.1 A proxy is a member who is entitled by this constitution to exercise a vote at a meeting of the Association.

The proxy shall be valid for use at one meeting only, or for any adjournment of that meeting. The Executive Committee shall be entitled to issue an appeal for proxies in favour of the President or his nominee.

8.2 The instrument in proper form appointing a proxy must be deposited at the office of the Association not less than forty-eight (48) hours before the meeting at which it is intended to be used.

9. DISSOLUTION

9.1 In the Event of the Association ceasing to function or on the written request of two-thirds (2/3) of the existing Corporate Members, the Association can be disbanded.

9.2 A special General Meeting shall be called to decide the matter, where the quorum shall be two-third (2/3) of the existing Corporate and Registered Members present either personally or by proxy.

9.3 Any resolution of dissolution of the Association shall be approved by a positive vote of three-quarter (3/4) of the Members voting either personally or by proxy.

9.4 Upon dissolution of the Association any funds of the Association may be disposed off a decided at the special General Meeting.

9.5 Notice of the dissolution shall be given within 14 days of the dissolution to the Registrar of Societies.

10. PROPERTY OF THE ASSOCIATION

10.1 To do all such thigs as are incidental or conducive to the attainment of the objects of the Association as set out in article 2 of the Constitution; the Association may purchase, lease, hire or otherwise acquire lands buildings or part thereof, and may improve, manage develop, maintain, lease, let, sublet, charge, borrow money on mortgage, dispose, and turn to account all or any of the property vested in the name of the Association.

10.2 Under no pretense or whatsoever shall the property and effects, or the income or revenue of the Association derived from the voluntary contributions of the members or otherwise howsoever, be applied in making any divided, gift, division or bonus unto or between any of the proposition in contravention thereof shall be entertained by the Executive Committee or by any meeting of the Association.

10.3 The Executive Committee shall have power to grant from time to time, as they may think fit, the use of the rooms of any building of the Association to any persons who may desirous of having lectures delivered on subjects connected with

the objects of the Association, or for such other purposes as shall be approved by the Executive Committee.

- 10.4 Every book, paper, map, plan drawing or model resented to the Association shall be considered the property thereof. Unless there shall have been some previous arrangement to the contrary.
- 10.5 When it is deemed fit, the Executive Committee shall cause a library to established, and the library shall be open to all members, at such times as the Executive Committee may determine, when they shall have the right to peruse and inspect all books, papers, plans, maps, drawing or models belonging to the Association, and to make copies and extracts there from (under such restrictions and with such exceptions as may be determined by the Executive Committee from time to time), but none of the property of the Association shall be taken out the premises of the Association without the express permission of the Executive Committee.

11. TRUSTEES

- 11.1 Any immovable property acquired by or belongings to the Association shall be vested in not mote then five (5) trustees and not less than three (3) trustees, who shall be Corporate Members of the Association and whose appointment shall be confirmed by resolution of the Members of the Association passed at a General Meeting.
- 11.2 The trustees shall hold, sell mortgage, charge or otherwise deal with or dispose of such property in such manner as directed by any resolution passed at a General Meeting.
- 11.3 The Trustees shall hold office for a term of not exceeding there (3) years. They shall be eligible for re-election at a General Meeting.
- 11.4 The Trustees shall hold all immovable properties subject to the following trusts: -
 - 11.4.1 To receive the rents and profits of and manage the said properties with liberty in the course of such management to let or demise the said properties or any part thereof either form year to year or for any less period than a year at such rents and subject to such covenants and conditions as the Trustees shall think fit and with liberty to accept surrenders of leases or tenancies, to make allowances to and arrangement with lessees and others and to insure the said properties against damage or loss by fire, tempest or otherwise.

11.4.2 Out of the rents and profits derived from the said properties to pay all rates, charges and expenses, insurance premiums and other outgoings whatsoever payable in respect thereof and to pay the balance thereof for the benefit of the Association.

11.4.3 The Trustees shall at any time or times with the consent of the general members of the Association (such consent to be testified to as hereinafter provided) sell exchange, mortgage, charge, demise or otherwise dispose of the said properties upon such terms as the Trustees may think fit and with such consent as aforesaid the Trustees may make, enter into, execute and do all such contracts, conveyances, mortgages, demises, assurances, and acts as shall be deemed necessary for the purpose of effectuating any such sale, exchange, mortgage, charge or lease.

11.5 The consent of the Member of the Association for the purposes of the said trusts shall be testified to by a resolution of the Members of the Association passed at any General Meeting and any such resolution for the purposes of the said trust shall be sufficiently proved if a copy thereof duly signed by the President present at such meeting and the Honorary Secretary of the Association or by any persons acting as such respectively is produced and if signatures of such President and Honorary Secretary thereon are witnessed by any persons authorized under the current Attestation Ordinance.

11.6 The power of nominating and appointing new trustees shall be exercisable by the Executive Committee and such nomination and appointment shall be subject to the nomination of the Members of the Association, such confirmation being testified to as hereinbefore provided.

11.7 The members in a General Meeting may remove a Trustee or Trustees and appoint another in his or their place, and on the passing of a resolution of the Members of the Association passed at a General Meeting removing a trustee, such trustee shall cease to be a trustee and shall be deemed to be removed or discharged from the trusts of any property of the Association held by him as trustee and he shall do, sign and execute all such acts and documents as are necessary to give effects to such removal or discharge.

12. DONATIONS AND BEQUESTS

12.1 A record shall be kept in such manner as the Executive Committee may prescribe of the names of all persons who have presented any additions to library, or to the

Collections of the Association or who have made any voluntary contribution to the funds of the Association.

13. PROHIBITIONS

- 13.1 None of the following games shall be played in the premises of the Association: Roulette, Lotto, Fan-Tan, Poh, Peh Bin, Belangkai, Pai Kau, Tau Ngau, Tien Kow, Chap Ji Kee, Sam Cheong Twenty-One, Thirty-One, Ten and a half, all games of dice, banker's games and all games of mere chance.
- 13.2 Neither the Association nor its members shall attempt to restrict or in any other manner interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Ordinance, 1959.
- 13.3 The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association or its office-bearers, Executive Committee or member.
- 13.4 The Association shall not pay out any benefits as defined under Section 2 of the Societies Act, 1966 to any of its members.
- 13.5 The Association is prohibited from having affiliation or connection outside Malaysia.

14. AMENDMENT OF THE CONSTITUTION AND BYE-LAWS

This Constitution and Bye-Laws shall continue until a resolution for its amendment shall be passed by three-fifths of the total Corporate and Registered Membership of the Association voting in favour of that resolution at a General Meeting duly convened for that purpose.

Application for any such alternations or amendments shall be made to the Registrar within 28 days from the date decision to make the change or the amendment and shall take affect form the date of their approval by the Registrar of Societies.

15. INTERPRETATION OF RULES

- 15.1 Between Annual General Meeting the Executive Committee shall interpret the Constitution and Bye-Laws of the Association and, when necessary determine any point on which it is silent.

15.2 Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting the decisions of the Executive Committee shall be binding on all members of the Association unless and until countermanded by a resolution of a general meeting.