

# RULES AND CONSTITUTION OF THE PERSATUAN AMAL 'CHIN SIEW KOK,'KINTA, PERAK.

## Rule 1 Name

The Society shall be known as the PERSATUAN AMAL CHIN SIEW KOK KINTA, PERAK, and hereinafter referred to as the "Society".

## Rule 2 Address

Its registered address shall be No.276, Tanah Hitam, 31200 Chemor, Perak or at such other place as may from time to time be decided on by the Committee. The registered address of the Society shall not be changed without the prior approval of the Registrar of Societies.

## Rule 3 Aims and Objects

- (1) To perform good deeds and to contribute towards all charitable undertakings and social welfare works according to the great virtue and merits of the immortal sages;
- (2) To promote goodwill, friendship and unity and to organize recreational activities among the members;
- (3) To promote education and moral uplifting.

## Rule 4 Membership

Membership of the society shall be open to all Malaysians who are non Muslim, above 18 years of age and residing in Kinta, Perak and its surrounding areas.

- (2) Every application for membership shall be proposed and seconded by two existing members and shall be forwarded to the Secretary who shall, at the first convenient opportunity, submit it to the

Committee for approval. The Committee may at its discretion reject any application without assigning any reason therefor.

- (3) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed membership fee be admitted as a member of the Society and shall be entitled to all the privileges of membership.

## Rule 5 Subscriptions and other dues

- (1) Subscription payable shall be as follows:
  - a. Ordinary Member: Annual subscription - RM10.00 (Ringgit Malaysia Ten).
  - b. Life Member: Life Membership subscription - RM100.00 (Ringgit One Hundred) payable in one lump sum. Life Member shall not be required to pay annual subscription.
- (2) All annual subscriptions shall be payable to the Treasurer before 31<sup>st</sup> of March of each year.
- (3) Any member who allows his arrears to exceed one year's subscription shall be denied the privileges of membership until he settles his account. Any member who allows his arrears to exceed two years' subscriptions shall receive a written notification signed by or on behalf of the Secretary and shall automatically cease to be a member of the Association.
- (4) The Committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.
- (5) Members may donate voluntarily to the Association as expenses or for special function of the Association.

## Rule 6 Resignations and Termination of Membership

Any member who wishes to resign from the Society shall give two weeks' notice in writing to the Secretary and shall pay up all dues.

- (2) Any member who fails to comply with the rules of the Society or has acted in a manner to bring disrepute upon the Society may be expelled or suspended for a period of time as the committee deems fit. Before the committee expels or suspends the member, the member shall be informed of the grounds for such expulsion or suspension in writing and

be given an opportunity to explain and absolve himself in person. Such suspension or expulsion shall be enforced unless otherwise reversed by a general meeting upon appeal by the said member.

## Rule 7 General Meeting

- (1) The supreme authority of the Society is vested in a general meeting of the members. At least one half of the total membership of the Society or twice the total number of the Committee Members whichever is the lesser must be present at a general meeting for its proceedings to be valid and to constitute a quorum.
- (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 Committee and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have power to proceed with the business of the day but they shall not have power to alter the rules of the Society or to make decisions affecting the whole membership.
- (3) An annual general meeting of the Society shall be held within four months after the close of each financial year on a date and a time and place to be decided by the Committee. The business of the annual general meeting shall be:
  - (a) To receive the Committee's report on the working of the Society during the previous year;
  - (b) To receive the Treasurer's report and the audited accounts of the Society for the previous year;
  - (c) To elect a Committee and to appoint auditors once in every three years;
  - (d) To deal with such other matters as may be put before it.
- (4) The Secretary shall send to all members at least 10 days before the meeting a notice of the Annual General Meeting stating the date, the time and the place and an agenda including copies of minutes and reports, motions and nominations for the election of officers during the election year, together with the audited accounts of the Society for the previous year. Copies of these documents will also be made

available at the registered office or place of meeting of the Society for the perusal of members.

- (5) An extraordinary general meeting of the Society shall be convened:
  - (a) Whenever the Committee deems it desirable or
  - (b) At the joint request in writing of not less than 215 of the total number of members, stating the objects and reasons for such meeting.
- (6) An extraordinary general meeting requisitioned by members shall be convened for a date within thirty days of the receipt of such requisition.
- (7) Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary to all members at least ten days before the date fixed for the meeting.
- (8) Paragraphs 7(1) and 7(2) of this rule regarding the quorum and the postponement 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 six months from the date thereof.

## Rule 8 Committee

- (1) A Committee consisting of the following, who shall be termed the officebearers of the Society, shall be elected once in every three years at the annual general meeting:

A President

Two Vice-Presidents

A Secretary

An Assistant Secretary

A Treasurer

### **Twelve Ordinary Committee Members**

The office-bearers of the Society and every officer performing executive functions in the Society shall be Malaysian Citizens.

- (2) Names for the above offices shall be proposed and seconded and election will be by a simple majority vote of the members at the annual general meeting. All the office-bearers shall hold office for three years and they shall be eligible for re-election.

- (3) The function of the Committee is to organize and supervise the day to day activities of the Society and to make decisions on matters affecting its running within the general policy laid down by the general meeting. The Committee may not act contrary to the expressed wishes of the general meeting without prior reference to it and shall always remain subordinate to the general meeting. It shall furnish a report to each annual general meeting on its activities during the previous year.
- (4) The Committee shall meet at least four times a year and 7 days notice of each meeting shall be given to the members. The President acting alone or not less than five of its members acting together may call for a meeting of the Committee to be held at any time. At least one half of the Committee members must be present for its proceedings to be valid and to constitute a quorum.
- (5) Any member of the Committee who fails to attend three consecutive meetings of the Committee without satisfactory explanation shall be deemed to have resigned from the Committee.

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- (6) In the event of the death or resignation of a member of the Committee the candidate who received the next highest number of votes at the previous election shall be invited to fill the vacancy, If there is no such candidate or if such candidate declines to accept office, the Committee shall have the power to co-opt any other member of the Society to fill the vacancy until the next annual general meeting.
- (7) The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Society. It may appoint such organizers and such staff as it deems necessary. It may suspend or dismiss any organizer or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason which it deems good and sufficient in the interest of the Society.

#### Rule 9 Duties of office-bearers.

- (1) The President shall during his term of office, preside at all general meetings and all meeting of the Committee and shall be responsible for the proper conduct of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved. He may in conjunction with the Secretary or the Treasurer, sign all cheques on behalf of the Society.

- (2) The Vice-Presidents shall assist the President in carrying out their duties. One of the Vice-Presidents shall deputise for the President during the latter's absence.
- (3) The Secretary shall conduct the business of the Society in accordance with its rules and shall carry out the instructions of the general meeting and of the Committee. He shall be responsible for conducting all correspondence and keeping all books, membership register, documents and papers except the accounts and financial records. He shall attend all meetings and record the proceedings. In conjunction with the President or the Treasurer he may sign all cheques on behalf of the Society. The Secretary shall, within sixty days after the holding of the annual general meeting forward to the Registrar 'the annual returns of the Society as required under Section 14(1) of the Societies Act 1966.
- (4) The Assistant Secretary shall assist the Secretary in carrying out his duties during the latter's absence.
- (5) The Treasurer shall be responsible for the finances of the Society. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He may in conjunction with the President or the Secretary sign all cheques on behalf of the Society.
- (6) The Ordinary Committee Members shall assist the committee in carrying their duties and such other duties as may from time to time be directed by the committee.

## Rule 10 Financial Provisions

- (1) Subject to the following provisions in this rule, the funds of the Society 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 to its office-bearers and paid staff and the audit of its accounts 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) The Treasurer may hold a petty cash advance not exceeding RM 1,000.00 (Ringgit Malaysia One Thousand only) at any one time.

All money in excess of this sum shall within seven days of receipt be deposited in a bank approved by the Committee. The bank account shall be in the name of the Society.

- (3) All cheques or withdrawal notices on the Society's account shall be signed jointly by any two of the following officers namely the President (or in his absence the Vice-President), the Secretary or the Treasurer. In the absence of the Secretary and the Treasurer, the Committee shall appoint one of its members to sign in his place.
  - (4) No expenditure exceeding RM 20,000.00 (Ringgit Twenty Thousand) at any one time shall be incurred without the prior sanction of the Committee and no expenditure exceeding RM 40,000.00 (Ringgit Malaysia Forty Thousand) at any one time shall be incurred without the prior sanction of a general meeting. The President together with the Treasurer and the Secretary shall have the power to approve any expenditure not exceeding RM 20,000.00 (Ringgit Twenty Thousand) at any one time.
  - (5) As soon as possible after the end of each financial year, a statement of income and expenditure and balance sheet for the year shall be prepared and audited by the Auditor/Auditors appointed under Rule 11. The audited accounts shall be submitted for the approval of the next annual general meeting and copies shall be made available at the registered office or place of meeting of the Society for the perusal of members.
6. The financial year of the Society shall commence from the 1<sup>st</sup> of January and end on the 31<sup>st</sup> of December each year.

## Rule 11 Audit

- (1) One or more persons, who shall not be office-bearers of the Society, shall be appointed by the annual general meeting as Honorary Auditors. They shall hold office for three years.
- (2) The Auditor/ Auditors shall be required to audit the account of the Society for each year and to prepare a report or certificate for the annual general meeting. He/They may also be required by the President to audit the accounts of the Society for any

period within their tenure of office at any date and to make a report to the Committee.

## Rule 12 Property Administrators

- (1) The immovable property of the Society shall be registered in the name of the Society and all instruments relating to that property shall be as valid and effective as if they had been executed by a registered proprietor provided that they are executed by the President, the Secretary and the Treasurer for the time being of the Society whose appointment are authenticated by a certificate of the Registrar and sealed with the seal of the Society.
- (2) The property of the Society shall not be sold, withdrawn or transferred without the consent and authority of at least three-fifths of the members present at a general meeting.

## Rule 13 Prohibitions

- (1) The Society shall not give any benefits as defined under Section 2 of the Society Act 1966 to any member of the Society.
- (2) Gambling shall not be played in the premises of the Society.
- (4) Neither the Society 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 Act 1959.
- (5) The Society shall not hold any lottery whether confined to its members or not, in the name of the Society or its office-bearers, committee or member.
- (6) No University or University college student shall be admitted as a member of the Society without the prior permission of the Vice Chancellor of the University or University College concerned.

## Rule 14 Amendment of Rules

These Rules may not be altered or amended except by resolution of a general meeting. An application for any such alteration or amendment of its rules shall be made to the Registrar within 60 days from the date of the decision to make the alterations or amendments. Such alterations or amendments shall take effect from the date of their approval by the Registrar of Societies.



## Rule 15 Dissolution

- (1) The Society may be voluntarily dissolved by a resolution of not less than three-fifths of the total membership.
- (2) In the event of the Society being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged and the remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.
- (3) Notice of dissolution shall be given within 14 days of the dissolution to the Registrar of Societies

## Rule 16 Interpretation

- (1) Between Annual General Meetings, the committee shall interpret the rules of the Society and when necessary determine any point on which the rules are silent.
- (2) Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting, the decisions of the committee shall be binding on all members of the Society unless and until countermanded by a resolution of a general meeting.