

CONSTITUTION OF THE NEGERI SEMBILAN KWONGSAI ASSOCIATION

1. TITLE

The Association shall be called the “ Negeri Sembilan Kwongsai Association ” Hereinafter called the “ Association ”.

2. ADDRESS

The registered address of the Association shall be at No. 12, Jalan Dato Lee Fong Yee, 70000 Seremban, Negeri Sembilan.
The registered address shall not be changed without prior approval of the Registrar of Societies.

3. OBJECTS

- 3.1 To foster friendship and to promote unity amongst clansmen.
- 3.2 To render mutual assistance.
- 3.3 To interchange of knowledge.
- 3.4 To look after the welfare of its members and the community in general.

4. MEMBERSHIP

- 4.1 Any Kwongsai people over 18 years of age and who are Malaysian Citizens living within the state of Negeri Sembilan of good character irrespective of sex shall be eligible to apply for membership.
- 4.2 Application for admission shall be in writing and shall be proposed by one member and seconded by another. The Executive Committee may at its discretion reject any application without assigning any reason therefore.
- 4.3 Members are qualified to vote and / or be elected after joining as a member for more than twelve (12) months.
- 4.4 Members may request the assistance of the Board of Committee as arbitrators in any dispute and may also seek mutual assistance.
- 4.5 The membership shall be unlimited.
- 4.6 Any member who intentionally disobey / breach the rules or disobey any approved resolution or his action causes damage to the Association’s reputation and unity shall be punished in accordance to the disciplinary rules approved by the Executive Committee. Such disciplinary actions shall include an official warning letter, suspension or termination of membership. The said member may appeal to the General Meeting in respect of such disciplinary action against him. The General Meeting’s decision is final. Such member cannot take any legal action against the Association and / or any of its member.
- 4.7 No University or University-College shall be allowed to be a member unless prior written approval has been obtained from the Vice Chancellor of the University concerned.

5. ENTRANCE FEE

A life member shall pay an entrance fee of RM100.00 and shall be exempted from paying annual subscription.

6. BOARD OF COMMITTEE

- 6.1 The Board of Committee shall comprise of 25 members of whom 22 shall be elected for term of at three (3) years at the Annual General Meeting and the other 3 shall be appointed by the Board of Committee. After the Annual General Meeting the Board of Committee shall hold an election of office bearers within 30 days for the following posts:-
- 1 President
 - 1 Deputy President
 - 2 Vice Presidents
 - 1 General Secretary
 - 1 Assistant Secretary
 - 1 Treasurer
 - 2 Auditors
 - 16 Ordinary Committee Members

The office-bearer of the Association and every officer performing executive functions in the Association shall be Malaysian citizens.

- 6.2 The Board of Committee shall have the power to appoint member to be the Chairman of the Sub-Committee and its Committee members if deem necessary. The Sub-Committee will be dissolved by the Board of Committee if they cannot execute their duties effectively.
- 6.3 The Board of Committee shall have the power to substitute any vacant post.

7. ELECTION OF BOARD OF COMMITTEE APPOINTMENT & TENURE

- 7.1 The tenure of the Board of Committee shall be three (3) years per term and shall be eligible for re-election. The tenure of the Auditors shall be for one (1) term, namely three (3) years only and shall not be eligible for re-election.
- 7.2 Honorary Presidents, Honorary Advisors, Legal Advisors shall be appointed by the Executive Committee.
- 7.3 The Board of Committee shall be elected by members at Annual General Meeting. The Election Committee shall be appointed by the Board of Committee. Notice of election and name list of members shall be delivered or sent by post to all members within 14 days before the Annual General Meeting. Members shall attend the Annual General Meeting and collect the voting paper personally to cast their votes for the election of 22 Board of Committee members.
- 7.4 The method of election shall be by nomination. Candidates must be officially proposed in writing by a member and seconded by another member.
- 7.5 Candidates who obtain the majority number of votes shall be elected, but in the event of equality of votes final election shall be decided by casting lots.
- 7.6 Annual General Meeting shall be held every year on or before the month of May to receive the report of Board of Committee on the affairs of the Association, the statement of accounts for the preceding year, to elect office-bearers and to transact any other business. The Quorum shall be 50 members.
- 7.7 If the quorum is not reached at the Annual General Meeting, it shall be postponed to another date decided by the Board of Committee. The said date shall not be later than 30 days. In the event the said postponed date is still insufficient of quorum after half an hour (1/2) from the time fixed, then the members who are present shall have the power to proceed with the agenda of the meeting but it shall not have the power to amend the rules of the Association or to make decision affecting the paramount interest of all the members.

- 7.8 Extra-Ordinary General Meeting – An Extra-Ordinary General Meeting may be convened by the President when occasion demands to decide an issue of major importance or at the request in writing of thirteen (13) Executive Committee Members or fifty (50) members stating the object and reason for such meetings. The quorum shall be the same as that of the General Meeting, and the discussion shall be confined to the matters tabled before the meeting. Notices and agenda for the Extra-Ordinary General Meeting shall be delivered or sent by post to the addresses of all members appearing in the Register by the General Secretary at least seven (7) days before the date of the meetings.

8. THE POWERS AND DUTIES OF BOARD OF COMMITTEE

- 8.1 PRESIDENT: The President shall execute the decision of the Annual General Meetings and of the Board of Committee Meetings. He shall superintend the General Administration of the affairs of the Association, and in matters concerning the Association he shall be vested with full powers of representation. He shall be Chairman of all meetings at which he is present and he shall have a casting vote.
- 8.2 DEPUTY-PRESIDENT: The Deputy-President shall assist the President in all matters and shall act for him in his absence or on leave. He shall automatically replace the President once the President resigns or any unforeseen circumstances that arise and shall act until the next election.
- 8.3 VICE-PRESIDENT: The Vice-Presidents shall assist the President and Deputy-President in all matters and shall act for all of them in their absence or on leave, and in the absence of both the President and Deputy President, a protem Chairman among the two Vice Presidents shall be elected by members present at the meeting.
- 8.4 GENERAL SECRETARY: The General Secretary shall follow the rules and regulations of Associations to carry out the instructions and decisions of the Annual General Meeting and the Board of Committee and deal in all matters in relation to correspondence, clerical, document etc concerning the Association.
- 8.5 ASSISTANT SECRETARY: The Assistant Secretary shall assist the General Secretary in all matters and shall act for him in his absence.
- 8.6 TREASURER: The Treasurer shall manage all the financial matters and also to keep accounts book and be responsible for the keeping of proper accounts. Together with the President and the General Secretary, he shall sign all cheques on behalf of the Association, and such cheques shall also bear the seal of the Association. He shall submit a Statement of Accounts at every Board of Committee Meeting. He shall prepare an Annual Balance Sheet as at 31st December of each year and present it at the Annual General Meeting.
- 8.7 AUDITORS: The Auditors shall audit all the accounts of the Association. They shall have free access to all books and documents necessary for the completion of their audit. After the accounts have been carefully examined, they should certify them as correct, if they represent a true statement of accounts.
- 8.8 ORDINARY COMMITTEE MEMBERS: The Ordinary Committee Members shall assist the Board of Committee to implement the assignment of the Association and shall have power to bring up any matter for discussion at the Board of Committee Meeting.
- 8.9 The services rendered by the Board of Committees are of an honorary nature and no remuneration shall be granted.
- 8.10 During the interval of the Annual General Meeting, the Board of Committee shall have the power to interpret these Rules and make decision on any discrepancies which may arise. Its decision can only be overruled by the Annual General Meeting.
- 8.11 Board of Committee Meeting shall be held once in three months. Notice of every meeting of the Board of Committee shall be given seven days before such meeting. Thirteen shall form a quorum. If a quorum cannot be formed, a second meeting shall be called and those present at the second meeting so called, whether a quorum is sufficient or not, shall transact all the business fixed for the first meeting.
- 8.12 Any Board of Committee Member who is absent for three (3) consecutively meetings without official leave, shall automatically deem to have resigned from his post. The Board of Committee shall appoint a replacement for such post.

9. MANAGEMENT OF PROPERTY

- 9.1 All immovable Properties of the Association shall be registered in the name of the Association and all instruments relating to the property shall be valid and effective provided that they are executed by the President, the Secretary, and the Treasurer of the Association and affix with Association with the seal chop of the Association.
- 9.2 All immovable Properties of the Association shall not be transferred, charged, sold or disposed of without prior consent and approval at the Annual General Meeting. Such consent and approval shall be resolved by more than 50% of the said Annual General Meeting.
- 9.3 In the event of insufficient quorum at any Annual General Meeting, it shall be postponed to another date. The aforesaid consent and approval shall be resolved by at least 1/3 of the total members of the Association present at the said meeting.

10. SPECIAL CONTRIBUTIONS

- 10.1 Special Contributions – Any member may at any time contribute any amount towards the Association.
- 10.2 Voluntary Festival Contributions – The cost of the Spring and Autumn Festivals shall be defrayed by voluntary contributions from member. Any amount left over after deducting the expenses will be credited into the account of the Association for general expenses.
- 10.3 Anniversary of the Association – Members are expected to attend the Anniversary of the Association and shall whole-heartedly make monetary contributions to celebrate the occasion. Any money left over after deducting the expenses incurred will be credited into the account of the Association for general expenses.

11. FINANCIAL

- 11.1 Monies of the Association can be used for administrative expenses, salaries, allowances for its employees, public donations and to organize moral activities.
- 11.2 The Treasurer shall not at any time keep any money amounting to more than RM500.00. Any excess shall be deposited in the bank under the name of the Association.
- 11.3 The General Secretary shall have the power to approve any item of expenditure not exceeding RM500.00.
- 11.4 The President, General Secretary and Treasurer shall have power to approve special expenditure of not exceeding RM1000.00. Amount in excess of RM1000.00 shall be approved by the Executive Committee. Any amount exceeding RM20,000.00 shall be approved by the General Meeting.
- 11.5 As soon as possible at the end of each financial year a statement of income and expenditure and a balance sheet for the year shall be prepared and audited by the auditors appointed under Rule 11. The audited accounts shall be submitted for the approval of members at the next Annual General Meeting and copies must be made available at the registered office or premise of the Association for the perusal of the members.
- 11.6 The financial year of the Association will be 1st January to 31st December of each year.

12. FESTIVAL GATHERINGS

Spring and Autumn Prayer may be held twice a year on the days on which the Spring and Autumn Prayer fall in memory of the ancestors.

13. LOAN OF ARTICLES

- 13.1 The property of the Association, such as furniture or other articles, shall not under any circumstances be lent out to any member or non-member without prior consent of the General Secretary.
- 13.2 Any member damaging or breaking any furniture or article of the Association shall pay the cost of repairing or replacing the same.

14. EMPLOYEES

All servants of the Association shall be under the charge of the General Secretary and any misconduct shall be reported to the General Secretary.

15. PROHIBITIONS

- 15.1 None of the following games shall be played in the premises of the Association. They are Roulette, Lotto, Fan Tan, 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, Bankers' game and all games of mere chance.
- 15.2 Neither the Association nor its members shall attempt to restrict or in any manner interfere with any trade or prices or engage in any trade union activities as defined in the Trade Union Act 1959.
- 15.3 The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association its office-bearers, committee or member.
- 15.4 Benefits as defined under Section 2 of the Societies Act 1966 shall not be carried out by the Association.

16. ADDENDUM

- 16.1 The Association is a non-political society and shall not have bearings on politics and all improper activities.
- 16.2 The Rules of the Association shall not be added and amended without the approval of the Annual General Meeting.
- 16.3 Any defects herein shall be duly notified and tabled at amendments shall take effect after being approved by Registrar of Societies, Malaysia.

17. DISSOLUTION

- 17.1 The Association may be voluntarily dissolved by a resolution of not less than three-fifths of total membership with voting rights at a general especially called for the purpose of Association.
- 17.2 In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining fund shall be disposed off in such a manner as may be decided upon by a general meeting of its members.
- 17.3 The Registrar of Societies shall be informed in writing of the resolution to dissolve within 14 days of the date of the resolution.