



# ***RULE AND CONSTITUTION***

***PERSATUAN BEKAS PELAJAR SEKOLAH  
MENENGAH KEBANGSAAN CHUNG HUA MIRI***

***(MIRI CHUNG HUA MIDDLE SCHOOL ALUMNI  
ASSOCIATION)***

## **RULE 1 NAME**

The name of the Association shall be known as “PERSATUAN BEKAS PELAJAR SEKOLAH MENENGAH KEBANGSAAN CHUNG HUA MIRI”(MIRI CHUNG HUA MIDDLE SCHOOL ALUMNI ASSOCIATION)

## **RULE 2 REGISTERED / POSTAL ADDRESS**

- 2.1 The registered address of the Association shall be Sekolah Menengah Kebangsaan Chung Hua, Jalan Dato Temenggong Oyong Lawai (Jalan Brighton), 98000 Miri, Sarawak.
- 2.2 The postal address of the Association shall be P.O.Box 116, 98007 Miri, Sarawak.
- 2.3 Its registered and postal address shall not be changed without the prior approval of the Registrar of Societies.

## **RULE 3 AIMS AND OBJECTS**

The aims and objects shall be as follows:-

- 3.1 To promote social, cultural and sporting activities.
- 3.2 To foster friendship and promote the spirit of solidarity of the members.
- 3.3 To co-ordinate with the work of Sekolah Menengah Kebangsaan Chung Hua Miri in any form of assistance.
- 3.4 To acquire land or immovable property by way of purchase or gift for the benefit and welfare of members.

## **RULE 4 LOGO**

- 4.1 The logo of the Association shall consist of two concentric circles with a green bell tied by a red ribbon placed in the centre. At its circumference written the words “Persatuan Bekas Pelajar Sekolah Menengah Kebangsaan Chung Hua Miri” and the year of establishment “1987”. The words “BE ALERT” inscribed on the top and chinese characters “美” and “中” written on the left and right hand side and “校友会” at the bottom of the bell.
- 4.2 The meaning of the logo shall be as follows:-
  - (a) The Green Bell shall symbolize that we are the Alumni of Sekolah Menengah Kebangsaan Chung Hua Miri and the green shall designate the perpetuity spirit of learning and caring.
  - (b) The tied red ribbon on top of the green bell shall symbolize the solidarity of the Association and the red colour shall designate the courage and zeal of the Alumni.

## **RULE 5 MEMBERSHIP QUALIFICATION**

Membership shall be open to any ex-student of Sekolah Menengah Kebangsaan Chung Hua Miri of and above the age of 18 years.

## **RULE 6 APPLICATION FOR MEMBERSHIP**

- 6.1 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 thereof.
- 6.2 Every applicant whose application has been approved as aforesaid shall, upon payment of the life membership fee, be admitted as a Member of the Association and shall be entitled to all the privileges of membership.

## **RULE 7 RIGHT AND DUTIES OF MEMBERS.**

Every member of the Association shall:-

- 7.1 Abide to the decision made in any General meeting.
- 7.2 Abide to the RULES and Regulations of the Association.
- 7.3 Have voting right during General Meeting.

## **RULE 8 MEMBERSHIP REGISTER AND RELATED MATTER**

8.1 The Secretary shall keep a membership register containing the following particulars:-

- (a) Serial Number
- (b) Date of Admission
- (c) Name
- (d) Date and place of birth
- (e) Identity Card Number
- (f) Nationality
- (g) Occupation and Office Address
- (h) Home address and telephone contact
- (i) Sex
- (j) Marital Status
- (k) Proposer and seconder's Name
- (l) Interest
- (m) Year of joining the School
- (n) Year of leaving School
- (o) 2 copies of photos

8.2 Every member shall notify the Secretary of his change of address, failing which any letter, or notice sent to his last registered address shall be deemed to have been given to and received by such member for any purpose provided by the rules.

8.3 Any member who wishes to resign his/her membership may do so by giving to the Secretary one month's notice in writing to that effect. Any debt to the Association shall be paid in full and any Subscription paid is non-refundable.

8.4 All members as described in RULE 5 shall be issued with membership cards on election to membership.

The card shall be produced on demand for inspection by any Committee member or any person authorised in that behalf in writing by the Secretary.

## **RULE 9 EXPULSION OF MEMBERS**

9.1 The Committee may, if at any time it shall be of the opinion that interest of the Association has been affected adversely, by letter invite any member to withdraw from Association within such time as is specified in such letter, and in default of such withdrawal to submit the question of his expulsion to an extraordinary general meeting to be held within four weeks from the date of such letter. Not less than two weeks, notice of the meeting shall be given to the members. It shall be the duty of the Secretary to inform the members in question of the time and place of the meeting and of the nature of the complaints against him in sufficient time to afford him a proper opportunity of offering his explanations. At such meeting, the meeting shall be allowed to offer an explanation of his conduct verbally or in writing, and if thereupon, two third of the members present shall vote for his expulsion, he shall thereupon cease to be a member of the Association, provided that the voting at any such extra-ordinary general meeting shall be by ballot if not less than five members present thereat shall be so demand. It shall be in the power of the Committee to exclude such member from the Association's premises until such extraordinary general meeting is held as required above.

- 9.2 No person who has been expelled or invited to withdraw from the Association shall be at any time be re-admitted as a member.

#### **RULE 10 EFFECT OF CEASING TO BE A MEMBER**

All rights and privileges and claims upon the Association and its property and funds shall be forfeited upon ceasing to be a member of the Association whether on account of resignation or expulsion.

#### **RULE 11 SUBSCRIPTION AND OTHER DUES**

Life Membership fee is RM125.00.

#### **RULE 12 ANNUAL GENERAL MEETING**

- 12.1 The Annual General Meeting of the Association shall be Held as soon as possible after the close of each financial year but not later than 31<sup>st</sup> of August on a date and at 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 activities of the Association during the previous year.
  - (b) To receive the Treasurer's report and the audited accounts of the Association for the previous year.
  - (c) To elect a Committee and to appoint an auditor biennially.
  - (d) To deal with such other matters as may be put before it.
- 12.2 Notice and Agenda of the Annual General Meeting stating the date, the place and calling for motions for discussion, motions for amendment of the rules and nominations for the biennial election of the committee shall be sent by the Secretary to all members not later than 21 days before the date fixed for the meeting.
- 12.3 Nominations and the Biennial election of Officers and motions for the discussion at the meeting must be sent to reach the Secretary 7 days before the date fixed for the AGM.
- 12.4 All members can collect the copies of the last meeting minutes, reports, motions and nominations for the biennial selection of Officers, together with the audited accounts of the Association for the previous year during the meeting. Copies of these documents will also be made available at the registered address of the Association for the perusal of members at least 7 days before the meeting.

#### **RULE 13 EXTRAORDINARY GENERAL MEETING**

- 13.1 An Extraordinary General Meeting of the Association shall be convened:-
- (a) whenever the Committee deems it desirable, or
  - (b) at the joint request in writing of not less than 75% of the total memberships, stating the objects and reasons for such meeting.
- 13.2 An Extraordinary General Meeting requisitioned by members shall be convened for a date within thirty (30) days of the receipt of such requisition.
- 13.3 Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Secretary to all members at least fifteen days before the date fixed for the meeting.

#### **RULE 14 QUORUM AND POSTPONEMENT OF GENERAL MEETING**

- 14.1 The quorum for any General Meeting shall be at least twice the number of the Committee members or one-half of the total membership, whichever is lesser.
- 14.2 In the absence of a quorum, the meeting shall be postponed to a later date to be decided by the Committee.

- 14.3 Where no quorum is present at the subsequent date decided in accordance with paragraph (2) above,
- (a) An Annual General Meeting shall proceed to the business provided that such meeting shall not amend these rules or make decision affecting the whole membership.
  - (b) An Extraordinary General Meeting requisitioned by members shall be cancelled and no Extraordinary General Meeting shall be requisitioned for the same purpose until after a lapse of six months from the date thereof.

#### **RULE 15 THE COMMITTEE**

- 15.1 The Committee shall consist of the following 15 members who shall be termed the Office-Bearers of the Association, shall be elected biennially at the Annual General Meeting:-
- A President
  - A Deputy President
  - A Secretary
  - An Assistant Secretary
  - A Treasurer
  - An Assistant Treasurer
  - A General Affairs Officer
  - An Assistant general Affairs Officer
  - An Academic Officer
  - A Social and Sport Officer
  - A Welfare Officer
  - A Public Relation Officer
  - A Membership Extension Officer
  - Two Committee Members
- 15.2 Names of the biennial offices shall be proposed and seconded and election will be by simple majority vote of the Full members present at the Annual General Meeting. All the office-bearers shall be eligible for re-election biennially.
- 15.3 The function of the Committee is to organize and supervise the daily affairs and activities of the Association 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.
- 15.4 The Committee shall meet at least once every two months, and 7 days notice of each meeting shall be given to the members. The President acting alone, or not less than one half 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.
- 15.5 Where any urgent matters requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Committee is deemed to have been obtained.
- The issue must be clearly set out in the circular and forwarded to all members of the Committee;
  - At least one-half of the members of the Committee must indicate whether they are in favour or against the proposal;
  - The decision must be by a majority vote. Any decision obtained by circular letter shall be reported by the Secretary to the next Committee meeting and recorded in the minutes thereof.

- 15.6 Any member of the Committee who fails to attend three consecutive meetings of Committee without satisfactory explanation shall be deemed to have resigned from the Committee.
- 15.7 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 for the post affected 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 Association to fill the vacancy until the next annual general meeting.
- 15.8 The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. 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, incompetences, 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 Association.
- 15.9 Except where 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 Association unless and until countermanded by a resolution of a general meeting.

#### **RULE 16 DUTIES OF OFFICE BEARERS**

- 16.1 The President shall during his term of office, represent the Association in dealing with legal matters, and to act on behalf of the Association in dealing with other organizations, and to preside at all general meetings and all meetings of the Committee and shall be responsible for proper conducts of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved.
- 16.2 The Deputy President shall assist the Chairman in carrying out his duties and shall act for him in his absence.
- 16.3 The Secretary shall conduct the services of the Association in accordance with its rules and shall carry out the instruction of general meeting and committee meeting. He shall be responsible for conducting all correspondence and keeping all books, documents and papers except the accounts and financial records. He shall attend all meetings and record the proceedings.
- 16.4 The Assistant Secretary shall assist the Secretary in carrying out his duties and shall act for him in his absence.
- 16.5 The Treasurer shall be responsible for the finances of the Association. He shall keep accounts and record all financial transactions and shall be responsible for their correctness.
- 16.6 The Assistant Treasurer shall assist the Treasurer in carry out his duties and shall act for him in his absence.
- 16.7 The General Affairs Officer shall be responsible for daily smooth operation of the Association.
- 16.8 The Assistant General Affairs Officer shall assist the General Affairs Officer in carrying out his duties and shall act for him in his absence.
- 16.9 The Academic Officer shall be responsible for any educational matters of the Association.
- 16.10The Social & Sport Officer shall be responsible for social and sporting activities of the Association.
- 16.11The Welfare Officer shall be responsible for the welfare of the members of the Association.
- 16.12The Public Relation Officer shall liaise between the Committee and sub-committee within the Association. He shall liaise with other organisation and/or affiliates in the respect of any specific project in social activities that are within the objects of the Association.
- 16.13The Membership Extension Officer shall be responsible to keep all the records and data of the members.
- 16.14The two Committee Members shall assist other office bearers in carrying out their duties.

#### **RULE 17 INJURIES TO MEMBERS**

The Association shall not be liable in respect of the death of or any injury sustained by any member of his guests arising in any way whatsoever from his membership of the Association or from his use or enjoyment of the Association, its amenities, privileges or facilities or otherwise howsoever arising.

#### **RULE 18 APPOINTMENT OF OFFICERS UNDER SECTION 9(b) OF THE SOCIETIES ACT, 1966**

- 18.1 Three Officers who must be office-bearers and over 21 years of age, shall be appointed biennially at the Annual General Meeting for the purpose of Section 9(b) of the Societies Act, 1966.
- 18.2 They shall hold office until their term expires and shall be eligible for re-election.
- 18.3 The Officers appointed under this rule shall deal with the immovable property of the Association in such manner as the general meeting may direct provided that all immovable properties shall be registered in the name of the Association.
- 18.4 The Officers shall not sell, withdraw or transfer any of the property of the Association without the consent and authority of a general meeting of members.
- 18.5 An Officer may be removed from office by a general meeting on the ground that, owing to ill health, unsoundness of mind, absence from the country or for any other reason, he is unable to perform his duties or unable to do so satisfactorily. In the event of death, resignation or removal of an Officer before the election of officers, the vacancy shall be filled by an extraordinary general meeting convened for the purpose.

#### **RULE 19 FINANCIAL PROVISIONS**

- 19.1 The financial year of the Association shall commence from 1<sup>st</sup> of July every year.
- 19.2 The income and property of the Association shall be utilised towards the promotion of the objects of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise to the person or persons who at any time are or have been members of the Association or to any member claiming through them. But nothing herein contained shall prevent the payment in good faith of remuneration to any office-bearer or any member thereof or other person in return for any service actually rendered to the Association.
- 19.3 The Treasurer may hold a petty cash advance not exceeding One Thousand Ringgit (RM 1,000-00) 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 Association.
- 19.4 All cheques or withdrawal notices on the Association account shall be signed jointly by the Treasurer and the President or the Secretary.
- 19.5 No expenditure exceeding Three Thousand Ringgit (RM3,000-00) at any one time shall be incurred without the prior sanction of the Committee, and no expenditure exceeding Thirty Thousand (RM30,000-00) at any one time shall be incurred without the prior sanction of the General Meeting.
- 19.6 As soon as possible after 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 Auditor appointed under RULE 20. The audited accounts shall be submitted for the approval of the next general meeting, and copies shall be made available at the registered office/address or place of meeting of the Association for the perusal of members.

#### **RULE 20 AUDIT**

- 20.1 One person, who shall not be office-bearer of the Association, shall be appointed biennially at the Annual General Meeting. He shall hold office for one term only and shall not be re-appointed.

- 20.2 The Auditor shall be required to audit the accounts of the Association for the year, and to prepare a report of certificate for the annual general meeting. He may audit the accounts of the Association for any period within his tenure of office at any date, and to make a report to the Committee.

#### **RULE 21 GUESTS**

Non-members of the Association, when invited by the Committee or individual member to participate in the Association functions or sporting activities, shall be permitted to use the Association facilities subjected to the following:-

- (a) Only Members shall have the privilege to introduce guests on isolated occasions; and
- (b) The persons responsible for inviting non-members to the Association shall always accompany such guests and will be responsible for the good conduct of the guests.

#### **RULE 22 SPECIAL PROVISIONS**

- 22.1 The Association shall not take part nor support any political activity or allow any property or fund to be used in political ways.
- 22.2 If any member of the Association is convicted of any offence by the court, the fund of the Association shall not be used to pay the fine.
- 22.3 All members of the Committee performing executive function in the Association shall be Malaysian citizens.
- 22.4 The Association shall not have any affiliation or connection with any society established outside Malaysia.
- 22.5 Any member shall not hold office in the Association or become an Adviser or employee of the Association if he is disqualified under Section 9A of the Societies Act, 1966.
- 22.6 Gambling of any kind, whether for stakes or not is forbidden in the premise of the Association. The introduction of material for gambling or consumption of controlled drug and of bad characters into the Association is prohibited.
- 22.7 The Association shall not attempt to restrict or in any other manner interfere with trade or prices or engage in any trade union activity as defined in Trade Union Act 1959.
- 22.8 No benefit as defined under section 2 of Societies Act, 1966 shall be given to any of its members.
- 22.9 The Association shall not hold any lottery whether confined to its members or not.
- 22.10 Any student of university or University College shall not be admitted as a member of the Association unless he has obtained prior written permission from the vice-chancellor of the university concerned.
- 22.11 The Association shall not in any way act contrary to or interfere with, whether directly or indirectly or cause itself to appear to the School so as to act contrary or interfere with any policy, decision and/or administration of the School (Sekolah Menengah Kebangsaan Chung Hua Miri) and shall not have any special right to access to any part of the School premises nor to any amenities or facilities of the School without prior written approval from the school Principal.

#### **RULE 23 SUB-COMMITTEE**

The Committee shall have power to appoint Sub-committee for the furtherance of the objects of the Association as it may deem fit and to delegate to Sub-committee such power as it may consider necessary and expedient and to withdraw from sub-committee all or any of the power so delegated, and revoke all such appointments. Any Sub-committee so appointed shall in exercising the powers so delegated, conform to any of the regulations that may from time to time imposed upon it by the committee.



**RULE 24 AMENDMENT OF RULES**

The rules and constitution of the Association shall not be altered or amended except by a resolution of a general meeting. Such alterations and amendments shall only take effect from the date of their approval by the Registrar of the Societies.

**RULE 25 ANNUAL RETURNS**

The Secretary shall, within 28 days after the holding of the annual general meeting of the Association, forward to the Registrar of Societies an annual return in the prescribed forms.

**RULE 26 INTERPRETATION OF RULES**

Between annual general meetings, the Committee shall interpret the rules of the Association and , when necessary, determine any point on which the rules are silent.

**RULE 27 DISSOLUTION**

The Association may be dissolved by a resolution of not less than three-fifths of the total Full membership at a general meeting convened for that purpose.

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 funds shall be disposed of in such manner as may be decided upon by a general meeting.

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

**-End-**