

RULES AND CONSTITUTIONS
OF
PERSATUAN KLAN ZHANG MIRI
(ZHANG'S CLAN ASSOCIATION MIRI)
(REVISED 2007)

RULE 1 NAME

The name of the Association shall be known as “**Persatuan Klan Zhang Miri**” (**Zhang’s Clan Association Miri**), hereinafter referred to as “the Association”.

RULE 2 REGISTERED/POSTAL ADDRESS

- (1) The registered address of the Association is at C/O KTS Trading Sdn. Bhd., Lot 272, Nahkoda Gampar Road, 98000 Miri, Sarawak.
- (2) The postal address of the Association is P.O.Box 243, 98007 Miri.
- (3) The registered address and the postal address of the Association shall not be changed without the approval of the Registrar of Societies.

RULE 3 OBJECTIVES

The objectives of the Association shall be:

- (1) To foster friendship and goodwill among all members of the Association and community;
- (2) To promote, safeguard and secure the welfare and interest of its members;
- (3) To establish such liaison with government Ministries, Departments, Organizations or persons as may be of benefit to the members of the Association;
- (4) To establish scholarship funds for the benefit of its members and their children;
- (5) To hold real or personal property by purchase, lease or hire for the purpose of the Association or as any investment of its funds;
- (6) To borrow money within such limits as the Executive Committee shall fix from time to time for the purpose of the Association;
- (7) To accept donations from members and well-wishers for the furtherance of any or all of the above objectives, and



- (8) To acquire land, building or other immovable property by way of purchase, sale or gift for the benefit and welfare of the members, with the prior approval of the General Meeting of the voting members.
- (9) To affiliate with any lawful societies which have the same objectives.
- (10) To raise fund for the attainment of the above objectives with the approval of the Registrar of Societies and the authority concerned.

RULE 4

MEMBERSHIP QUALIFICATION

- (1) Any person residing in Miri Division whose surname is ZHANG or otherwise spelt as Tiung/Chang/Tiong/Teo/Chong/Cheong and so on irrespective of creed, religion, occupation and sex, whose conduct and character is good and who is a Malaysian citizen and has attained the age of eighteen years by English reckoning and is willing to abide by the Rules and Constitutions of the Association may become a member.
- (2) For the purpose of this rules, the word in the masculine gender shall include that in the feminine gender.

RULE 5

APPLICATION FOR MEMBERSHIP

- (1) Every application for membership in the prescribed form 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 Executive Committee for approval. The Executive Committee may at its discretion rejects any application without assigning any reason therefor.
- (2) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed entrance fee, be admitted as a member of the Association and shall be entitled to all the privileges of membership.
- (3) Any member of the Association shall automatically become a life member entitled to all the privileges of the membership of the Association upon his making payment of the sum of **Ringgit Malaysia Fifty (RM50.00)** in one lump sum to the Association and his life membership status shall be duly noted on the membership register of the Association.



RULE 6 MEMBERSHIP REGISTER

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

- (1) Serial number
- (2) Date of admission
- (3) Name
- (4) Date of birth
- (5) Identity card number
- (6) Nationality
- (7) Occupation, office address and telephone number
- (8) Home address and telephone number

RULE 7 CHANGE OF ADDRESS

Every member shall notify the Secretary of his change of address, failing which any letter, circular 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 these rules.

RULE 8 RESIGNATION

Any member may resign his membership by giving to the Secretary notice in writing to that effect. Every such notice shall, unless otherwise expressed, be deemed to take effect as from the first day of January next, following the receipt thereof.

RULE 9 EXPULSION OF MEMBERS

The Executive Committee may, if any time it shall be of the opinion that the interest of the Association so requires by letter invite any member to withdraw from the Association within such time as specified in such letter, and in default of such withdrawal to submit the question his expulsion to an Extraordinary General Meeting to be held within six weeks after the date of such letter. Not less than four weeks' notice of the meeting shall be given to the member. It shall be the duty of the Secretary to inform the member 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 member shall be allowed to offer an explanation of his conduct verbally or in writing, and if thereupon two-thirds of the members present shall vote for his expulsion, he shall



thereupon cease to be a member of the Association. Provided the voting at such Extraordinary General Meeting shall be by secret ballot if not less than five members present at shall so demand. It shall be in the power of the Executive Committee to exclude such member from the Association's premises until such Extraordinary General Meeting is held as above.

RULE 10 EFFECT OF CEASING TO BE A MEMBER

Any person shall, upon ceasing to be a member of the Association, whether on account of resignation or expulsion, forfeit all rights to and claims upon the Association and its properties and funds.

RULE 11 ENTRANCE FEES, SUBSCRIPTION AND OTHER DUES

- (1) An entrance fee in the sum of **Ringgit Malaysia Ten (RM10.00)** only shall be payable.
- (2) There shall be no monthly or Annual subscription.
- (3) Special subscription for particular purposes may be raised from the members by resolution of the General Meeting.
- (4) Any successful applicant who fails to pay the prescribed entrance fee within the time in the approval letter shall be denied his right to vote and other privileges of the membership.

RULE 12 ANNUAL GENERAL MEETING

- (1) Annual General Meeting of the Association shall be convened as soon as possible but not later than 31st March after the close of each financial year 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:
 - (a) To receive the Executive Committee's report on the working 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 an Executive Committee and appoint Auditor/Auditors biennially;
 - (d) To appoint three officers under Section 9(b) of the Societies Act, 1966 biennially;
 - (e) To deal with any other matters as may be put before it.



- (2) A notice of the Annual General Meeting stating the date, the time and the place, and calling for motions for discussion shall be sent by the Secretary to all members not later than 14 days before the date fixed for the meeting and this notice shall also be prominently displayed at the registered office/address of the Association.
- (3) Motions for discussion shall be sent to reach the Secretary not later than 7 days from the date of the notice.
- (4) An agenda including copies of minutes, reports and motions together with the audited accounts of the Association for previous year shall be kept or made available at the registered office/address of the Association for the perusal of all members.

RULE 13

EXTRAORDINARY GENERAL MEETING

- (1) An Extraordinary General Meeting of the Association shall be convened:
 - (a) Whenever the Executive Committee deems it desirable, or
 - (b) At the joint request in writing of not less than 30 members, stating the objectives and reasons for such meeting.
- (2) An Extraordinary General Meeting requisitioned by members shall be convened for a date within 30 days of the receipt of such requisition.
- (3) Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Secretary to all members at least 15 days before the date fixed for the meeting.

RULE 14

QUORUM AND POSTPONEMENT OF GENERAL MEETING

- (1) The quorum for any General Meeting shall be at least twice the number of the Executive Committee members or one-half of the total voting membership whichever is the lesser.
- (2) In the absence of a quorum, the meeting shall be postponed to a later date to be decided by the Executive Committee.
- (3) Where no quorum is present at the meeting on the subsequent date decided in accordance with paragraph (2) above:
 - (i) Annual General Meeting shall proceed to business provided that such meeting shall not amend these rules or make decisions affecting the whole membership.



- (ii) 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 at least six months from the date thereof.

RULE 15

EXECUTIVE COMMITTEE

- (1) An Executive Committee consisting of the following who shall be termed the office-bearers of the Association, shall be elected biennially at the Annual General Meeting:-
- (a) 1 Chairman
 - (b) 1 Deputy Chairman
 - (c) 2 Vice Chairmen
 - (d) 1 Secretary
 - (e) 2 Assistant Secretary
 - (f) 1 Treasurer
 - (g) 1 Assistant Treasurer
 - (h) 1 General Affairs Officer
 - (i) 1 Assistant General Affairs Officer
 - (j) 1 Public Relations Officer
 - (k) 1 Assistant Public Relations Officer
 - (l) 1 Welfare Officer
 - (m) 1 Assistant Welfare Officer
 - (n) 1 Recreation Officer
 - (o) 1 Assistant Recreation Officer
 - (p) 1 Youth Section Officer
 - (q) 1 Women Section Officer
 - (r) 4 Ordinary Committee Members
- (2) The function of the Executive Committee is to organize and supervise the day to day activities of the Association and to make decisions on matters affecting its running within the general policy laid down by the General Meeting. The Executive 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.



- (3) The Executive Committee shall meet at least once every three months, and 7 days' notice of each meeting shall be given to the Committee members. The Chairman acting alone, or not less than seven of the Executive Committee members acting together, may call for a meeting of the Executive Committee to be held at any time. At least one half of the Executive Committee members must be present for its proceedings to be valid and to constitute a quorum.
- (4) Where any urgent matter requiring the approval of the Executive Committee arises and it is not possible to convene a meeting as herein prescribed, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Executive Committee is deemed to have been obtained:
- (a) The issue must be clearly set out in the circular and forwarded to all members of the Executive Committee
 - (b) At least one-half of the members of the Executive Committee must indicate whether they are in favour or against the proposal and
 - (c) The decision must be by a majority vote. Any decision obtained by circular letter shall be reported by the Secretary to the next Executive Committee meeting and recorded in the minutes thereof.
- (5) Any member of the Executive Committee who fails to attend three consecutive meetings of the same without satisfactory explanation shall be deemed to have resigned from the Executive Committee.
- (6) In the event of the death or resignation of a member of the Executive Committee, the candidate who received the next highest number of votes at the previous election for the office affected shall be invited to



fill the vacancy. If there is no such candidate or if such candidate declines to accept office, the Executive Committee shall have the power to co-opt any other member of the Association to fill the vacancy until the next biennial election at the Annual General Meeting.

- (7) The Executive Committee shall give instruction 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 organizers or members of the staff for neglect of duty, dishonesty, incompetence, or any other reason which it deems good and sufficient in the interest of the Association.
- (8) 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.
- (9) The Executive Committee may from time to time propose certain members of the Association who have made contributions or have merited outstanding and meritorious services in society generally to become Honorary Chairmen or Permanent Advisors of the Association, provided that such members proposed and recommended by the Executive Committee shall in every case be approved by the Association in General Meeting.

RULE 16

ELECTION OF EXECUTIVE COMMITTEE

- (1) An election of a new Executive Committee must be held not less than one month before the expiry of two years term of the existing Executive Committee.
- (2) Before the expiry of the tenure, the Executive Committee shall have at its absolute discretion to appoint not more than five members to set up and form an Election Committee to organize and perform all the necessary procedures of an election.
- (3) The Election Committee shall have the right to decide the mode of election, either by nominations and polling by paper votes, or voting by show of hands.



- (4) Within 7 days after the election thereof, the newly elected Committee Members shall elect among themselves to various offices stated in Rule 15(1) hereof. They shall hold office for two years and shall be eligible for re-election after their term of office expires.

RULE 17

DUTIES OF THE OFFICE-BEARERS

- (1) The Chairman shall during his term of office preside at all General Meetings and all meetings of the Executive 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.
- (2) The Deputy Chairman shall be acting Chairman during the absence of the Chairman, or one of the Vice-Chairmen shall be acting Chairman during the absence of both the Chairman and the Deputy Chairman.
- (3) The Secretary shall conduct the business of the Association in accordance with the rules of the Association and shall carry out the instruction 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 accounts and financial records. He shall attend all meetings. For the purpose of the Societies Act 1966 and Societies Regulations 1984, the Secretary shall be designated as the principal office bearer.
- (4) The Assistant Secretary shall assist the Secretary in carrying out his duties and one of them shall be appointed to act for him in his absence.
- (5) The Treasurer shall be responsible for the finances and accounts of the Association. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall prepare a general statement of account as at the end of each financial period for submission for approval by the next Annual General Meeting of the Association.
- (6) The Assistant Treasurer shall assist the Treasurer in carrying out his duties and shall act for him in his absence.
- (7) The General Affairs Officer shall be responsible for the general affairs of the Association.



- (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.
- (9) The Public Relations Officer shall be responsible for the promotion of relationship with the general public and other organizations.
- (10) The Assistant Public Relations Officer shall assist the Public Relations Officer in carrying out his duties and shall act for him in his absence.
- (11) The Welfare Officer shall be responsible for the welfare affairs of the Association.
- (12) The Assistant Welfare Officer shall assist the Welfare Officer in carrying out his duties and shall act for him in his absence.
- (13) The Recreation Officer shall be responsible for the entertainment, cultural and physical activities of members of the Association.
- (14) The Assistant Recreation Officer shall assist the Recreation Officer in carrying out his duties and shall act for him in his absence.
- (15) The Youth Section Officer shall be responsible for the general affairs of the Youth Section including the conduct of Youth Section General Meetings and Youth Section Committee Meetings.
- (16) The Women Section Officer shall be responsible for the general affairs of the Women Section including the conduct of Women Section General Meetings and Women Section Committee Meetings.
- (17) Other Office-bearers shall take charge of the duties allocated to them.

RULE 18

FINANCIAL PROVISIONS

- (1) The financial year of the Association shall commence 1st January Annually.
- (2) The incomes and profits accruing to the Association from participation in any business activity or investment shall be applied solely towards the furtherance, the promotion and execution of the objectives of the Association and no portion thereof shall be paid or transferred directly or indirectly or 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 any other person claiming through them. But nothing herein contained shall prevent the payment in good faith for remuneration to any office-bearers or servants of the Association or



to any member thereof or other person in return for any service actually rendered to the Association.

- (3) The Treasurer may hold a petty cash account not exceeding Ringgit Malaysia Two Hundred (RM200.00) 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 Executive Committee. The bank account shall be in the name of the Association.
- (4) All cheques or withdrawal notices on the Association's account shall be jointly signed by the Treasurer and any one of the following office-bearers:
Chairman
Deputy Chairman (in the absence of Chairman)
Secretary (in the absence of Deputy Chairman)
- (5) No expenditure exceeding Ringgit Malaysia Five Hundred (RM500.00) at any one time shall be incurred without the prior sanction of the Executive Committee and no expenditure exceeding Ringgit Malaysia Five Thousand (RM5,000.00) at any one time shall be incurred without the prior sanction of a General Meeting. Any expenditure below Ringgit Malaysia Five Hundred (RM500.00) at any one time may be approved jointly by the Chairman (or in his absence Deputy Chairman) and the Treasurer.
- (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/Auditors appointed under Rule 19. The audited account shall be submitted for the approval of the next Annual General Meetings, and copies shall be made available at the registered office/address of the Association for the perusal of members.



RULE 19

AUDIT

- (1) One or more persons, who shall not be office-bearers of the Association, shall be appointed at the Annual General Meeting as Auditor/Auditors. He/They shall hold office for two years only and shall not be re-appointed.

- (2) The Auditor/Auditors shall be required to audit the accounts of the Association for the year, and to prepare a report or certificate for the Annual General Meeting. He/They may also be required by the Chairman to audit the accounts of Association for any period within his/their tenure of office at any time, and to make a report for the Executive Committee.

RULE 20

APPOINTMENT OF OFFICERS UNDER SECTION 9(b) OF THE SOCIETIES ACT 1966

- (1) Three officers, who must be office-bearers and over 21 of age, shall be appointed biennially at the Annual General Meeting for the purpose of Section 9(b) of the Societies Act, 1966.
- (2) They shall hold office for two years until their term expires at the next Annual General Meeting and shall be eligible for re-appointment.
- (3) The officers appointed under this rule shall deal with the immovable properties 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.
- (4) The officers shall not sell, withdraw, lease, charge, mortgage or transfer any of the properties of the Association without the consent and authority of a General Meeting.
- (5) An officer may be removed from office by 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 the death resignation or removal of an officer before the Annual General Meeting the vacancy shall be filled by an Extraordinary General Meeting convened for the purpose.



RULE 21 BYLAWS

The Executive Committee may make, repel and alter by-laws which are not inconsistent with these Rules. All by-laws or rescissions and alterations thereof shall be posted on the notice board in the Association's premises for a fortnight, during which time any 50 members or more, may by notice in writing to the Secretary, require the resolution of an Extraordinary General Meeting to be taken thereof. If no such notice be given, the by-laws or rescissions or alterations thereof shall become binding on all members.

RULE 22 SUB-COMMITTEES

The Executive Committee shall have power to appoint sub-committees for the furtherance of the objectives of the Association as it may deem fit and to delegate to sub-committee such powers as it may consider necessary and expedient, and to withdraw from sub-committees any or all of the powers 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 be imposed upon it by the Committee. On each and every such sub-committee so appointed there always be a member of the Executive Committee who shall act as Chairman of the sub-committee.

RULE 23 DAMAGES/REMOVAL OF PROPERTIES

- (1) Any member of the Association damaging or destroying any article or property of Association shall pay the cost of repairing or replacing it, if he is called upon by the Executive Committee to do so.
- (2) No books, periodicals, newspaper or any other property of the Association may be removed from the Association's premises without the consent of the Executive Committee.

RULE 24 INJURIES TO MEMBERS

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



RULE 25 GUESTS

- (1) Any members shall have the privilege of introducing to the Association's premises his friends and relatives as guests.
- (2) Members shall be responsible for the conduct and behaviour of their guests and for all expenses incurred on behalf of their guests or for any breakage or damage to the property of the Association caused by their guests.

RULE 26 PATRONS/ADVISORS

Patrons/Advisors may be appointed at a General Meeting on the proposal of the Executive Committee.

RULE 27 ANNUAL RETURN

The Secretary shall within 60 days after holding of the Annual General Meeting of the Association submit to the Registrar of Societies an Annual return in the prescribed form.

RULE 28 SPECIAL PROVISIONS

- (1) All members of the Executive Committee and every officer performing executive functions in the Association shall be Malaysian citizens.
- (2) The Association shall not have any affiliation or connection with any society established outside Malaysia.
- (3) Any student of any university or other institution of higher learning shall have obtained prior written permission from the Vice-Chancellor or the institution concerned to be a member of the Association.
- (4) No benefit as defined in Section 2 of the Societies Act, 1966 shall be paid to a member or dependent of a member.
- (5) Any person shall not hold office in the Association or become an advisor or employee of the Association if he is disqualified under Section 9A of the Societies Act, 1966.
- (6) 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, Tian Kow, Chap Ji Kee, Sam Cheong, Twenty-one, Thirty-one, ten and half, all games of dice, banker's game and all games of mere chance.



- (7) The Association shall not hold lottery whether confined to its members or not or in the name of the Association or office-bearers or Executive Committee or member without prior approval of the appropriate authority.
- (8) Neither the Association nor its members shall engage or try to engage in any Trade Union activities as defined in the Trade Union Act, 1959.

RULE 29 INTERPRETATION OF RULES

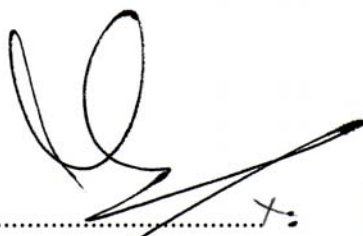
Between Annual General Meetings the Executive Committee shall interpret the rules of the Association and, when necessary, determine any point on which the rules are silent.

RULE 30 AMENDMENT OF RULES

These rules may not be altered or amended except by resolution of a General Meeting. Such alterations or amendments shall take effect from the date of their approval by the Registrar of Societies. Any amendment to the rule shall be submitted to the Registrar of Societies within sixty (60) days of being passed in a General Meeting.

RULE 31 DISSOLUTION

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


.....
(Tiong Ngie Yew)

Chairman




.....
(Chong Khe Chun)

Secretary