



PERSATUAN UNDANG-UNDANG PEMBINAAN, MALAYSIA
(THE SOCIETY OF CONSTRUCTION LAW, MALAYSIA)
Registration No. 1968-04-5

PERSATUAN UNDANG-UNDANG PEMBINAAN, MALAYSIA
(THE SOCIETY OF CONSTRUCTION LAW, MALAYSIA)
No. 28-1, Medan Setia 2, Bukit Damansara, 50490 Kuala Lumpur

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CONSTITUTION OF PERSATUAN UNDANG-UNDANG PEMBINAAN, MALAYSIA (THE SOCIETY OF CONSTRUCTION LAW, MALAYSIA)

1 NAME

The Society shall be known as “Persatuan Undang-Undang Pembinaan, Malaysia” (The Society of Construction Law, Malaysia) hereinafter referred to as “The Society”.

2 PLACE OF BUSINESS

The registered place of business shall be No. 28-1, Medan Setia 2, Bukit Damansara, 50490 Kuala Lumpur or such other place or places as may from time to time be decided by the Council. The registered place of business of the Society shall not be changed without prior approval of the Registrar of Societies.

3 EMBLEM

The emblem has a pair of scales and the words “Society of Construction Law” in striking red colour. Red, being one of the colours in the Malaysian Flag, represents the Malaysian identity of the Society, signaling success and prosperity. The words “Society of Construction Law” in auspicious red gives it prominence, suggesting distinction and excellence in its endeavours.

The scales symbolize the “scales of justice” and emphasizes the society’s commitment to uphold the principles of law. The upright perpendicular support for the scales, represents the abstract representation of one of the modern construction landmarks and reminds member of the construction industry in our country, as it enters an era of modernization. Viewed together, the emblem signifies a Society encouraging members to strive and achieve excellence in the application and practice of Construction Law to industry needs.

An illustration together with rationale of the emblem is contained in the annexure of this Constitution.

4 AIMS & OBJECT

- 4.1 The Object of the Society is to promote for the public benefit, education, study and research (and publication of the useful result of such research) in the field of construction law and related subjects.
- 4.2 In furtherance of the above object but not further or otherwise the Society may engage in the following :-
 - 4.2.1 Promoting, supporting, organizing or participating in Conferences, Seminars, Exhibitions, Scholarships, Courses, Lectures and similar projects for the benefit of the members of the Society and public
 - 4.2.2 Initiating research and studies and working parties, obtaining information on all aspects of construction law and technology and publishing the useful result thereof for the benefit of the members of the Society and public.
 - 4.2.3 Publishing or communicating by any desirable and effective means information relating to construction law, and all matters relating thereto for the benefit of the members of the Society and public.

- 4.2.4 Establishing relationships, association and liaison with other persons and other bodies with similar or related objects and exchanging information and studies and results concerning all matters relating thereto to further the object of the Society and for the benefit of the members of the Society.
- 4.2.5 Employing agents or servants (not being members of the Council) as may be necessary to further the object of the Society.
- 4.2.6 Subject to such consents as may be required by law, purchasing, selling, mortgaging, charging or leasing any property which may be required for the purposes and benefit of the Society.
- 4.2.7 Collecting application fees and subscriptions for memberships to the Society.
- 4.2.8 Collecting donations and grants subject to prior approval of the Registrar of Society and other relevant authorities as may be necessary to further the object of the society.
- 4.2.9 Providing, equipping, furnishing, fitting-out with all necessary plant, furniture and equipment and managing buildings and properties for the benefit of the members of the Society.
- 4.2.10 Encouraging professionals and other persons from all related disciplines and sectors of the construction industry to join the Society.

5

MEMBERSHIP

- 5.1 There shall be four categories of Membership open to persons residing in Malaysia and to all Malaysian citizens:
 - 5.1.1 **Ordinary Membership**
 - 5.1.1.1 The Council may elect any persons as Members of the Society and the election of persons shall be at the sole discretion of the Council;
 - 5.1.1.2 Members must be of at least 18 years of age;
 - 5.1.1.3 Applications for membership must be in writing addressed to the Society and must be signed by the candidate who shall thereby undertake, if elected, to conform to the Rules of the Society;
 - 5.1.1.4 Members must declare in writing a serious and active interest in constructive law;
 - 5.1.1.5 An elected person shall be admitted as a Member on payment of such entrance fee and annual subscription as set out under Rule 6 herein;
 - 5.1.1.6 A Member who has paid his subscription to date may retire from the Society by sending his letter of resignation in writing to the Council;
 - 5.1.1.7 A Member who is in arrears with his subscription may retire from membership with the consent of the Council but shall not cease to be liable for such arrears of subscription;
 - 5.1.1.8 A Member who is in arrears with his subscription shall not have the right to vote at any meetings of the Society;

5.1.2 Honorary Membership

- 5.1.2.1 The Council may elect any person as Honorary Members of the Society for such periods as the Council think fit on account of their distinction and eminence;
- 5.1.2.2 Honorary Member shall receive notices of and may attend any meetings and take part in any business or function of the Society;
- 5.1.2.3 Honorary Members may speak at any General Meeting or function of the Society;
- 5.1.2.4 Honorary Members of the Society should not pay any entrance fee or annual subscription;
- 5.1.2.5 Honorary Member shall in any circumstances have no right to vote at any meetings of the Society;
- 5.1.2.6 Honorary Members shall in any circumstances have no right to stand or to be elected or appointed as a member of the Council apart from being appointed as the Honorary Patron or Honorary Chairman which in all intent and purposes are only ceremonial positions.

5.1.3 Student Membership

- 5.1.3.1 The Council may elect any person as Student Members of the Society and the election of persons shall be at the sole discretion of the Council;
- 5.1.3.2 Student Members must be students of universities or colleges of at least 18 years of age.
- 5.1.3.3 University or college students shall not be eligible for membership without prior approval of the Vice-chancellor of the university or college.
- 5.1.3.4 Applications for membership must be in writing addressed to the Society and must be signed by the candidate who shall thereby undertake, if elected, to conform to the Rules of the Society.

5.1.4 Associate Members

- 5.1.4.1 The Council may admit any person as An Associate Member of the Society and the admission of such person shall be at the sole discretion of the Council;
- 5.1.4.2 Associate Members must be persons other than persons residing in Wilayah Persekutuan of Malaysia;
- 5.1.4.3 Applications for Associate membership must be in writing addressed to the Society and must be signed by the candidate who shall thereby undertake, if admitted, to conform to the rules of the society;
- 5.1.4.4 Upon admission as an Associate Member, an entrance fee and annual subscription as set out under Rule 6 shall apply;
- 5.1.4.5 An Associate Member shall have no voting rights within the Society and cannot hold office.

- 5.2 If it appears to the Council or shall be represented to the Council by a requisition in writing signed by three or more Members that there has been reason to believe that a Member has been guilty of conduct which in the absence or satisfactory explanation will render such member unfit to remain a Member or which would render a Member ineligible for election the Council shall send to such Member a statement in writing of the conduct imputed to such Member and shall afford the Member an opportunity of giving an explanation in writing or in person as such Member may elect. If on consideration of such explanation the Council shall be of the opinion that such Members ought to be excluded from the Society provided that no less than two-thirds of the votes of the Council present and voting are cast in favour of such exclusion and on the passing of such Resolution the Member shall cease to be a Member of the Society but shall not cease to be liable for any arrears of subscription.

6 APPLICATION FEE AND SUBSCRIPTION

- 6.1 The entrance fee and annual subscription payable for each Member shall be as follows:-

Entrance	RM30
Annual subscription	RM100

- 6.2 The entrance fee and annual subscription payable for each Student Member shall be as follow:-

Entrance fee	RM10
Annual subscription	RM10

- 6.3 The annual subscription shall become due on 1st of January of each year;
- 6.4 The annual subscription fee can be altered with the passing of a resolution by the members of the Society at its annual general meeting under the rules set herein and with the prior approval of the Registrar of Societies.
- 6.5 If any member fails to pay his annual subscription within three months after it becomes due, the Honorary Secretary shall give notice to the member of the fact and if the subscription is not paid within seven days of the date of such notice or within such further requisite time as the Council may grant, such members may be resolution of the Council be excluded from the Society and shall thereupon cease to be a member, but shall not thereby cease to be liable for any outstanding subscription.

7 RESIGNATION AND TERMINATION

- 7.1 Any member who wishes to resign from the Society shall give notice in Writing to the Honorary Secretary and shall pay up all dues to the Society.
- 7.2 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 Council deems fit. Before the Council expels or suspends a member, this member shall be informed of the grounds for such expulsion or suspension in writing and shall be given an opportunity to explain and clear himself in person. Such said member.

8

GENERAL MEETING

- 8.1 The supreme authority of the Society is vested in a general meeting of the members. At least one-half of the voting membership of the Society or the voting members present represent twice the total number of Council members, whichever is the lesser, must be present at a general meeting for its proceedings to be valid and to constitute a quorum.
- 8.2 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 Council, and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have the power to proceed with the business of the day but shall not have the power to alter the rules of the Society or make any decision affecting the whole membership.
- 8.3 An annual general meeting of the Society shall be held as soon as possible after the close of each financial year but not later than April on a date and a time and place to be decided by the Council. The business of the annual general meeting shall be:-
 - a To receive the minutes of the previous annual meeting;
 - b To receive the Council's report on the working of the Society during the previous year;
 - c To receive the Treasurer's report and the audited accounts of the Society for the previous year;
 - d To elect a Council and to appoint auditors for the ensuing year;
 - e To deal with such other matters as may be put before it.
- 8.4 The Honorary Secretary shall send to all members at least fourteen days before the meeting an agenda including copies of minutes and reports, together with the audited accounts of the Society for the previous year. Copies of these documents will also be made available at the registered place of business of the Society for the perusal of members.
- 8.5 An extraordinary general meeting of the Society shall be convened:-
 - a Whenever the Council deems it desirable; or
 - b At the joint request in writing of not less than twice the number of Council members, stating the objects and reasons for such meeting.
- 8.6 An extraordinary general meeting requisitioned by members shall be convened for a date within thirty days of the receipt of such requisition.
- 8.7 Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary to all members at least fourteen days before the date fixed for the meeting.
- 8.8 Rules 8.1 and 8.2 herein regarding the quorum and the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the provision that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by the 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.

9 COUNCIL

- 9.1 A Council consisting of the followings who shall be termed the office-bearers of the Society, shall be elected at the annual general meeting:-
- A President
 - A Deputy President
 - A Vice President
 - An Honorary Secretary
 - An Honorary Treasurer
- 9.2 All office-bearers of the Society and every officer performing executive functions in the Society shall be Malaysian citizens.
- 9.3 Names for the above offices in Rule 9.1 herein 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 be eligible for re-election each year.
- 9.4 The function of the Council is to organize and supervise the day-to-day activities of the Society and make decisions on matters affecting its running within the general policy laid down by the general meeting. The Council shall 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.
- 9.5 The Council shall meet at least once every three months, a seven days notice of each meeting shall be given to the members. The President acting alone, or not less than three of its members acting together may call for a meeting of the Council to be held at any time. At least one half of the Council members must be present for its proceedings to be valid and to constitute a quorum.
- 9.6 here any urgent matter requiring the approval of the Council arises and it is not possible to convene a meeting, The Honorary Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Council is deemed to have been obtained:-
- a The issue must be clearly set out in the circular and forwarded to all members of the Council;
 - b At least one-half of the members of the Council 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 Council meeting and recorded in the minutes thereof.
- 9.7 Any member of the Council who fails to attend three consecutive meetings of the Council without satisfactory explanation shall be deemed to have resigned from the Council.
- 9.8 In the event of the death or resignation of the member of the Council, the Council shall have the power to co-opt any other member of the society to fill the vacancy until the next election of office-bearers.
- 9.10 The Council may appoint any sub-Council for any purpose arising out of or connected with any of the duties, functions and aims laid down under the rules. Any members can become members of these sub-Council.

- 9.11 In the event of the death or resignation of a member of the Council 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. In addition, a casual vacancy may be filled by election by the Council and that Council Member shall hold office until the next Annual General Meeting.
- 9.12 The office of President and Deputy President may not be held by the same person for more than two consecutive years.
- 9.13 The immediate Past President, if any, shall be ex officio member of the Council for a period not exceeding two years.

10 DUTIES OF OFFICE-BEARERS

- 10.1 The President shall during his/her term of office preside at all general meetings and all meetings of the Council and shall be responsible for the proper conduct of all such meetings. He/She shall have the casting vote and shall sign the minutes of each meeting at the time it is approved.
- 10.2 The Deputy President shall deputise for the President during the latter's absence.
- 10.3 The Vice President shall deputise for the Deputy President during the latter's absence.
- 10.4 The Honorary Secretary should conduct the business of the Society in accordance with the rules, and shall carry out the instructions of the general meeting and of the Council. He/She shall be responsible for conducting all correspondence and keeping all books, document and papers except the account and financial records. He/She shall attend all meetings and record the proceedings. In the event the Honorary Secretary is not able to attend any such meetings, he/she can appoint a member of the Council to deputise his/her duties. He/She shall maintain proper membership register of the members consisting of details such as name, identity card no, date/ place of birth, occupation, name/address of employer and residential address. He/She will file in the annual return within sixty (60) days from the date of each Annual General Meeting.
- 10.5 The Honorary Treasurer shall be responsible for the finances of the Society. He/She shall keep accounts of all financial transactions and shall be responsible for their correctness. He/She shall, in conjunction with the approved signatories sign all cheques on behalf of The Society.
- 10.6 The Ordinary Council Members shall carry out such duties as directed by the President or the Council.

11 FINANCIAL PROVISIONS

- 11.1 Subject to the following provisions in this rules, the funds of the Society may be expended for the purpose necessary for the carrying out of its objects, including the expenses of 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.
- 11.2 The Treasurer may hold a petty cash advance not exceeding RM500 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 Council. The bank account shall be in the name of the Society.
- 11.3 All cheques or withdrawal notices on the Society's account shall be signed jointly by the President, the Secretary and the Treasurer. In the absence of the President, the Secretary or the Treasurer, the Council shall appoint one of its members to sign in his place.
- 11.4 No expenditure exceeding RM500 at any one time shall be incurred without the prior sanction of the Council, and no expenditure exceeding RM20,000.00 shall be incurred without the prior sanction of a general meeting, Expenditure less than RM500 at any one time may be incurred by the President together with the Secretary or the Treasurer.
- 11.5 As soon as possible after the end of each financial year, a statement of receipts and payments and a balance sheet for the year shall be prepared by the Treasurer and audited by the Honorary Auditors appointed under Rule 12 herein. The audited accounts shall be submitted for the approval of the next annual general meeting, and copies shall be made available at the registered place of business of the Society for the perusal of members.
- 11.6 The financial year of the Society shall commence on the 1st January and end on the 31st December every year.

12 AUDIT

- 12.1 Two persons, who shall not be officio-bearers of the Society, shall be appointed, by the annual general meeting as Honorary Auditors. They shall hold office for one year and may be reappointed.
- 12.2 The Auditors shall be required to audit the accounts of the Society for the year, and to prepare a report or certificate for the annual general meeting. 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 Council.

13 TRUSTEE

- 13.1 Three Trustee, who must be over 21 years of age, shall be appointed at the annual general meeting and shall hold office during the pleasure of the Society. They shall be vested in them all immovable properties whatsoever belonging to the Society upon execution of a Deed of Trust.
- 13.2 The Trustee shall not sell, withdraw or transfer any of the property of the Society without the consent and authority of a general meeting of members.
- 13.3 A trustee may be removed from office by a general meeting on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reasons, he is unable to perform his duties or unable to do so satisfactorily. In the event of death, resignation or removal of a trustee the vacancy shall be filled by a new Trustee appointed by a general meeting.

14 INTERPRETATION

- 14.1 Between annual general meetings the Council shall interpret the rules of the Society and when necessary, determine any point on which the rules are silent.
- 14.2 Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting, the decisions of the Council shall be binding on all members of the Society unless and until countermanded by a resolution of a general meeting.

15 ADVISOR / PATRON

- 15.1 The Council shall if it deems fit and necessary appoint qualified persons to be the Advisor or Patron of the Society. The person appointed must give his consent in writing.

16 PROHIBITIONS

- 16.1 None of the following games shall be played in the premises of the Society: Roulette, Lotto, Fan Tan, Poh, Peh Bin, Belankai, Pai Kau, Tau Ngau, Tien Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty One, Thirty One, Ten and a half, all games of dice, bankers' games, all video game and all games of mere chance.
- 16.2 Neither the Society nor its members shall attempt to restrict or in any other manner interfere with the trade of prices or engage in any Trade Union activities as defined in the Trade Union Act, 1959.
- 16.3 The Society shall not hold any lottery, whether confined to its members or not, in the name of the Society, its office-bearers or members without prior approval from the authorities concerned.
- 16.4 "Benefits" as mentioned under section 2 of the Societies Act 1966 shall not be given by the Society to any of its member.

17 AMENDMENTS OF RULES

- 17.1 These Rules shall not be amended except by resolution of a general meeting. Such amendments shall take effect from the date of their approval by the Registrar of Societies. Any amendment to the rules shall be forwarded to the Registrar of Societies within 60 days of being passed by the general meeting.

18 DISSOLUTION

- 18.1 The Society may be voluntarily dissolved by a resolution of not less than three-fifths of the membership present in a general meeting.
- 18.2 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.
- 18.3 Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution.

CERTIFIED TRUE BY

-signed-
SUNDRA RAJOO s/o NADARAJAH
PRESIDENT

-signed-
HO KIN WING
HONORARY OF SECRETARY

ANNEXURE

**PERSATUAN UNDANG-UNDANG PEMBINAAN, MALAYSIA
(SOCIETY OF CONSTRUCTION LAW, MALAYSIA)**

THE EMBLEM



-signed-
SUNDRA RAJOO s/o NADARAJAH
PRESIDENT

-signed-
HO KIN WING
HONORARY OF SECRETARY

ANNEXURE

**PERSATUAN UNDANG-UNDANG PEMBINAAN, MALAYSIA
(SOCIETY OF CONSTRUCTION LAW, MALAYSIA)**

DESCRIPTION OF THE EMBLEM

The circular shaped emblem, in striking red colour, has the words “Society of Construction Law” encircling a pair of scales.

1. **Circular shape**
 - a) The circle is a symbolic representation of the world to signify that the Society is part of the global community and to strive for the pursuit of excellence at the highest international standards.
 - b) The circular shape is also used as a reminder to indicate that the focus of the Society is on Construction Law.
2. **The Scales** – The scales symbolize the “scale of justice” and emphasizes the Society’s commitment to uphold of the principles of law.
3. **Upright support for the scales** – The upright perpendicular support for the scales, represents the abstract representation of a modern construction landmark and signifies the rapid progress of the construction industry in Malaysia, as it enters an era of modernization.
4. **Colour of the emblem**
 - a) Red, being one of the colours in the Malaysian Flag, represents the Malaysian identity of the Society.
 - b) Red, being a dynamic colour, also signals success and prosperity. The words “Society of Construction Law” in auspicious red gives it prominence, suggesting distinction and excellence in all its endeavours.

Viewed together, the emblem signifies a Society encouraging members to strive and achieve excellence in the application and practice of Construction Law to industry needs in Malaysia.

-signed-

SUNDRA RAJOO s/o NADARAJAH
PRESIDENT

-signed-

HO KIN WING
HONORARY OF SECRETARY