
**RULES & CONSTITUTION OF
PERSATUAN BEKAS PENUNTUT SEKOLAH TINGGI KOTA KINABALU, SABAH
(THE KOTA KINABALU HIGH SCHOOL EX-STUDENTS ASSOCIATION, SABAH)**

1. Name and Registered Address

- 1.1 The Association shall be known as Persatuan Bekas Penuntut Sekolah Tinggi Kota Kinabalu, Sabah (THE KOTA KINABALU HIGH SCHOOL EX-STUDENTS ASSOCIATION, SABAH).
- 1.2 The registered address of the Association shall be at the Kota Kinabalu High School, Jalan Bunga Raya Kayu, P. O. Box No. 10224, 88802 Kota Kinabalu.
- 1.3 The registered address of the Association shall not be changed without the prior approval of the Registrar of Societies.

2. Objects

The objects of the Association shall be:

- 2.1 To promote and maintain understanding and friendship among the ex-students and members of the Kota Kinabalu High School.
- 2.2 To provide assistance towards the general welfare of the Kota Kinabalu High School.
- 2.3 To promote the general welfare of its members.

3. Membership

3.1 Types of Membership:-

There shall be the following types of members:-

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- (i) Ordinary members - ordinary membership is open to all ex-students of Kota Kinabalu High School.
 - (ii) Life members - Life membership is open to all ordinary members or persons qualified for ordinary membership of the Association upon payment of a lump sum amount of \$200.00.
 - (iii) Associate members - Teachers and ex-teachers, members and ex-members of the Board of Directors of Kota Kinabalu High School may be granted associate membership.
 - (iv) Honorary life members - Honorary life membership may be conferred on Malaysian Citizen who has high attainment in social status and has contributed significantly to the advancement of the Association's objects subject to the recommendation of the Committee and approval of a General Meeting.
- 3.2 No person who is undergoing education in any school or institution of higher learning shall be admitted to any type of membership of the Association.
- 3.3 Every application for ordinary membership, life membership or associate membership shall be proposed and seconded by two existing ordinary or life members and shall be forwarded to the Secretary who shall, at the first convenient opportunity, submit it to the Committee for consideration. The Committee may at its discretion reject any application without assigning any reason.
- 3.4 Conferment of Honorary life membership shall be recommended by the Committee and approved in a General Meeting.
- 3.5 Every applicant whose application for ordinary, life or association membership has been approved as aforesaid shall upon payment of the prescribed entrance fee and the first subscription, where applicable, be admitted as ordinary member or life

member or associate member as the case may be, and shall be entitled to all the privileges of the respective types of membership.

- 3.6 Only ordinary and life members are entitled to vote at a General Meeting and to nominate or be nominated for election or be appointed as office bearers. Associate and Honorary life members shall not be entitled to enjoy these two privileges.

4. CESSATION AND REINSTATEMENT OF MEMBERSHIP

A member shall cease to be a member if:

- 4.1 He/She voluntarily resigns from membership; or
- 4.2 An ordinary member or associate member fails to pay subscription fee for one year and arrears remain unpaid after having been served with notice by the Secretary to pay within a specified period; provided that his or her membership may be reinstated as soon as he or she has notified the Secretary of his/her desire to be reinstated and upon payment of all outstanding subscriptions; or
- 4.3 He/she fails to observe or comply with the Rules or Resolutions properly passed by the Association, provided that any member so dismissed shall have the right of appeal to a General Meeting.

5. Entrance Fee and Subscription

- 5.1 The entrance fee and subscription shall be as follows:-

<u>Types of Membership</u>	<u>Entrance Fee</u>	<u>Yearly Subscription</u>
Ordinary member:	\$ 5.00	\$12.00
Life member:	\$200.00	Nil
Associate member:	\$ 5.00	\$12.00
Honorary Life member:	Nil	Nil

5.2 All subscriptions shall be payable yearly on or before 31st January.

6. General Meeting

6.1 The Supreme Authority of the Association is vested in a General Meeting of the ordinary members and life members. At least 30 of the ordinary members and/or life members of the Association must be present at a General Meeting for its proceedings to be valid and to constitute a quorum.

6.2 If half an hour after the time appointed for the meeting a Quorum is not present, the meeting shall be postponed to a date (not exceeding 30 days) to be decided by the Committee; and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have power to proceed with the business of the General Meeting, but they shall not have the power to alter the Rules of the Association.

6.3 An Annual General Meeting of the Association shall be held within three months after the close of each financial year on a date and at a time and place to be decided by the Committee. The business of the Annual General Meeting shall be:

(i) To receive the Committee's report on the working of the Association during the previous year;

(ii) To receive the Treasurer's reports and the audited accounts of the Association for the previous year;

(iii) To elect a Committee and to appoint an auditor once in every two years.

(iv) To deal with such other matters as may be put before it.

6.4 A preliminary notice of the Annual General Meeting stating the date, the time and the place, and calling for motions for discussion, motions for amendment of the Rules and nominations for the election of the Committee (if any) shall be sent by

the Secretary to all members or to be published in the newspaper not later than 30 days before the date fixed for the meeting, and this notice shall also be prominently displayed at the registered office or place of meeting of the Association.

- 6.5 Nominations for the election of officers (if any) and motions for discussion at the meeting must be sent to reach the Secretary not later than 14 days before the Annual General Meeting.
- 6.6 The Secretary shall send to all members at least 7 days before the meeting an agenda including copies of minutes and reports, motions and nominations for the election of officers (if any, together with the audited accounts of the Association for the previous year. Copies of these documents will also be made available at the registered office or place of meeting of the Association for the perusal of members.
- 6.7 An Extraordinary General Meeting of the Association shall be convened:
- (i) Whenever the Committee deems it desirable, or
 - (ii) at the joint request in writing of not less than twenty ordinary and/or life members, stating the objects and reasons for such meeting.
- 6.8 An Extraordinary General Meeting requisitioned by members shall be convened on a date within thirty days of the receipt of such requisitions.
- 6.9 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.
- 6.10 Paragraphs 6.1 and 6.2 of this rule regarding the quorum and the postponement of an Annual General Meeting shall apply also to an Extraordinary General Meeting, but with the provision if no quorum is present after half an hour from the time appointed for a postponed Extraordinary General Meeting requisitioned by members the meeting shall be cancelled, and no Extraordinary General Meeting shall be requisitioned for the same purpose until after the lapse of at least six months from the date thereof

6.11 The Secretary shall forward to all members a copy of the draft minutes of each Annual and Extraordinary General Meeting as soon as possible after its conclusion.

7 Committee

7.1 A Committee consisting of the following who shall be termed the office-bearers of the Association, shall be elected at every alternate Annual General Meeting, from among the ordinary and life members of the Association with the exception of the Secretary and the Treasurer, who shall be appointed by the Chairman from among the ordinary and life members.

A Chairman

A Deputy Chairman

Two Vice Chairmen

A Secretary

A General Function Supervisor

A Treasurer

Six Ordinary Committee Members

7.2 (i) Nomination for the election of office-bearers must be sent to reach the Secretary of the Association at least 14 days before the date of the Annual General Meeting.

(ii) No nomination for office shall be valid unless it is supported by at least two ordinary or life members of the Association, one signed as proposer and one signed as seconder, and contains the written consent of the candidate to stand for election.

(iii) The list of nominated members shall be sent to all ordinary and life members together with the Agenda for the meeting according to clause 6.6 hereof 7 days before the date of Annual General Meeting.

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- (iv) A panel of three scrutineers, who shall not be serving officers or candidates for office-bearers, shall be elected by show of hands at an Annual General Meeting to supervise all balloting. A scrutineer shall hold office at the pleasure of the Association and may be replaced at any General Meeting. If a scrutineer resigns in between Annual General Meetings, the Committee shall have the power to appoint any ordinary or life member as they think fit to fill the vacancy. At least two scrutineers shall be present when a ballot is being taken.
 - (v) The Secretary shall cause the required number of ballot papers to be prepared in the form prescribed by the Committee and shall issue to each member who is entitled to vote a ballot paper bearing the signature of the Secretary and instruction as to record the votes. The ballot papers shall be forwarded to the member at least 7 days before the date fixed for voting.
 - (vi) Every member entitled to vote who is present at the place, time and date of voting and who declares in writing that he has not received a ballot paper shall receive from the Secretary a ballot paper bearing the signature of the Secretary.
 - (vii) Before the voting commences, the scrutineers shall be supplied by the Secretary a list of members who have been issued with ballot papers and they shall ensure, by checking the list with the Membership Register, that only those members entitled to vote are given the opportunity to do so and that each member votes only once.
 - (viii) Before the commencement of voting the scrutineers must examine the ballot box to ensure that it is empty and they shall seal the box. Voting must be in person. When the time for voting arrives, each member who has been issued a ballot paper shall in turn proceed to the place of the ballot box and record his vote and drop the ballot paper in the box. Scrutineers shall ensure that members are able to vote as they please and without their votes being known to anyone else. As soon as members have cast their votes, they shall immediately quit the place of voting.

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- (ix) When the last member present who is entitled to vote in person has voted, the scrutineers shall declare the voting closed. They shall open the ballot box and count the number of ballot papers in it and check to agree with the number on the list of members issued with the ballot papers supplied by the Secretary. They shall then count the vote in the presence of at least three officers of the Association. If in the opinion of the scrutineers a ballot paper is invalid, such ballot paper shall be marked 'spoilt' and rejected.
- (x) After all the votes have been counted, the scrutineers shall prepare a statement in duplicate of the results of the ballot and hand both copies duly signed to the Secretary. The statement shall be counter signed by the Chairman and Secretary. The Chairman or the Secretary shall then announce the result of the ballot to the members present.
- 7.3 The function of the 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.
- 7.4 The Committee shall meet at least once every three months, and 7 days notice of each meeting shall be given to the members. The Chairman acting alone or not less than three 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 members must be present for its proceedings to be valid and to constitute a quorum.
- 7.5 Where any urgent matter 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:
- (i) The issue must be clearly set out in the circular and forwarded to all members of the Committee;

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- (ii) At least one-half of the members of the Committee must indicate whether they are in favour or against the proposal; and
 - (iii) 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.
- 7.6 Any member of the Committee who fails to attend three consecutive meetings of the Committee without satisfactory explanation shall be deemed to have resigned from the Committee.
- 7.7 In the event of the death or resignation of a member of the Committee, the Committee shall have the power to co-opt any other ordinary or life member of the Association to fill the vacancy until the next Annual General Meeting.
- 7.8 (i) The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint such organizer and such staff as it deems necessary. It may suspend or dismiss any organizer or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason which it deems good and sufficient in the interest of the Association.
- (ii) The Committee shall have the power to appoint such sub-committee composed of members of the Committee or otherwise with or without the power to co-opt as it may from time to time decide to perform such function as it may specify and delegate to such sub-committee, subject to such conditions and restrictions as it may decide, all or any of the power vested in the Committee by the Rules and Constitution.
- 7.9 It shall give instructions to the Trustees regarding the use or disposal of the immovable property of the Association in accordance with the decision of the General Meeting.

7.10 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.

8. Duties of Office-Bearers

8.1 The Chairman shall during his term of office preside at all General Meetings and all meetings of the Committee and shall be responsible for the proper conduct of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved.

8.2 The Deputy Chairman shall deputize for the Chairman during the latter's absence. The Vice-Chairman shall assist the Chairman and Deputy Chairman and one of the Vice-Chairman shall deputize for the Chairman during the absence of both the Chairman and Deputy Chairman.

8.3 The Secretary shall be responsible for conducting all correspondences and keeping all books, documents and paper except the accounts and financial records. He shall attend all meetings, and record the proceedings. He shall maintain a membership register.

8.4 The General Function Supervisor shall be responsible for general function as assigned by the Chairman or the Committee.

8.5 The Treasurer shall be responsible for the finances of the Association. He shall keep accounts of all its financial transactions and shall be responsible for their correctness.

9. Financial Provisions

9.1 Subject to the following provisions in this rule, the funds of the Association may be expended for any purpose necessary for the carrying out of its objects, including the expenses of its administration.

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- 9.2 The Treasurer may hold a petty cash advance not exceeding one hundred Ringgit at any one time. All moneys 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.
- 9.3 All cheques or withdrawal notices on the Association's Account shall be signed jointly by the Treasurer and either the Chairman (or in his absence the Deputy Chairman) or the Secretary.
- 9.4 No expenditure exceeding \$2,000 at any one time shall be incurred without the prior sanction of the Committee, and no expenditure exceeding \$30,000 in any one month shall be incurred without the prior sanction of a general meeting. Expenditure of less than \$2,000 at any one time may be approved by the Chairman together with the Secretary and Treasurer.
- 9.5 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 by the Treasurer and audited by the Auditor appointed under Rule 10. The audited accounts shall be submitted for the approval of the next Annual General Meeting and copies shall be made available at the registered office or place of meeting of the Association for the perusal of members.
- 9.6 The Financial year of the Association shall begin on 1st January and end on 31st December annually.

10. Audit

- 10.1 A person who shall not be an office-bearer of the Association, shall be appointed at every alternate Annual General Meeting as Honorary Auditor.
- 10.2 The Auditor 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 may also be required by the Chairman to 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.

11. Trustees

11.1 Three Trustees, 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 Association. They shall have vested in them all immovable property whatsoever belong to the Association upon the execution of a Deed of Trust.

11.2 The Trustees shall not sell, withdraw or transfer any of the property of the Association without the consent and authority of a General Meeting of members.

11.3 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 State for more than six months 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 a Trustee before the Annual General Meeting, the vacancy shall be filled by the Committee until a new Trustee shall have been appointed by a General Meeting.

12. Amendment of Rules

No alteration or additions to these Rules shall be made except by resolution of the General Meeting and adopted by at least two third (2/3) of the members present and they shall not come into force prior to sanction of the Registrar of Societies.

13. Voting

At all meetings every member eligible to vote shall be entitled to one vote only provided in the case of equality of votes, the Chairman or Deputy Chairman or Vice Chairman presiding shall have the casting vote. Voting must be in person and not by proxy.

14. Dissolution

- 14.1 The Association shall not be dissolved unless a resolution to this effect shall have been passed by not less than three-fourth of the total membership in a General Meeting which has been specially convened for the purpose.
- 14.2 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 funds shall be disposed of in such manner as may be decided upon by a General Meeting.
- 14.3 Notice of dissolution shall be given within 14 days of the dissolution to the Registrar of Societies.

15. General

- 15.1 The Association shall not have any affiliation or connection with any society established outside Malaysia.
- 15.2 All members of the Committee and every officer performing executive functions in the Association shall be Malaysian Citizens.
- 15.3 Malaysian citizens who have high attainment in social status and have contributed very significantly towards the advancement of the Association's objects may be invited to be honorary advisors to the Association upon recommendation of the Committee and acceptance in a General Meeting.
- 15.4 Ex-students of Kota Kinabalu High School shall, for the purpose of these rules and Constitution, include ex-students of the predecessors of Kota Kinabalu High School, namely the Overseas Chinese Middle School and Jesselton Middle School.

16. Prohibitions

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- 16.1 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, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty-one, Thirty-one, Ten and a half, all games of Dice, bankers' games and all games of mere chance.
- 16.2 Neither the Association nor its members shall attempt to restrict or in any other manner interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Act, 1959.
- 16.3 The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association or its office-bearers, Committee or member without the approval from the relevant authorities.
- 16.4 The Association shall not pay out any benefits as defined under Section 2 of the Societies Act, 1966 to any of its members.

LEONG SIEW YEAN
I/C NO. H0031429
SECRETARY

LIM KIAT KONG
I/C NO. H0065557
CHAIRMAN