



The Association of Consulting Licensed Land Surveyors Sarawak
(Persatuan Perunding Jurukur Berlesen Sarawak)
(ACLS)

RULES AND CONSTITUTION

PERSATUAN PERUNDING JURUKUR BERLESEN SARAWAK

(The Association of Consulting Licensed Land Surveyors Sarawak) (ACLS)

Table of Content

Rule No.	Description	Page
Rule 1	NAME	1
Rule 2	REGISTERED/ POSTAL ADDRESS	1
Rule 3	OBJECTIVES	1
Rule 4	MEMBERSHIP QUALIFICATION	2
Rule 5	APPLICATION FOR MEMBERSHIP	3
Rule 6	MEMBERSHIP REGISTER	3
Rule 7	CHANGE OF ADDRESS	4
Rule 8	RESIGNATION	4
Rule 9	EXPULSION OF MEMBERS	4
Rule 10	EFFECT OF CEASING TO BE A MEMBER	5
Rule 11	ENTRANCE FEE, SUBSCRIPTION AND OTHER DUES	5
Rule 12	ANNUAL GENERAL MEETING	6
Rule 13	EXTRAORDINARY GENERAL MEETING	7
Rule 14	QUORUM AND POSTPONEMENT OF GENERAL MEETINGS	7
Rule 15	COMMITTEE	8
Rule 16	DUTIES OF OFFICE BEARERS	10
Rule 17	FINANCIAL PROVISIONS	10
Rule 18	AUDIT	11
Rule 19	APPOINTMENT OF OFFICERS UNDER SECTION 9 (b) OF SOCIETIES ACT, 1966	12
Rule 20	BY-LAWS	12
Rule 21	SUB-COMMITTEES	13
Rule 22	CODE OF PROFESSIONAL CONDUCT	13
Rule 23	PROXY	14
Rule 24	ANNUAL RETURN	15
Rule 25	SPECIAL PROVISIONS	15
Rule 26	INTERPRETATION OF RULES	15
Rule 27	AMENDMENTS OF RULES	16
Rule 28	DISSOLUTION	16

RULES AND CONSTITUTION OF PERSATUAN PERUNDING JURUKUR BERLESEN SARAWAK

(The Association of Consulting Licensed Land Surveyors Sarawak) (ACLS)

RULE 1 NAME

The name of the society shall be known as “Persatuan Perunding Jurukur Berlesen Sarawak” (The Association of Consulting Licensed Land Surveyors Sarawak) (ACLS), hereinafter referred to as the Association.

RULE 2 REGISTERED/ POSTAL ADDRESS

- (1) The Registered address of the Association shall be Lot 155 and 156, Sec. 20, KTLD, 9-C and 9-D, Jalan Badruddin, Kuching 93400, Sarawak.
- (2) The postal address of the Association shall be Lot 155 and 156, Sec. 20, KTLD, 9-C and 9-D, Jalan Badruddin, Kuching 93400, Sarawak.
- (3) The registered address and postal address of the Association shall not be changed without the prior approval of the Registrar of Societies

RULE 3 OBJECTIVES

The objectives of the Association shall be:

- (a) To respect and uphold the integrity of the land surveying profession.
- (b) To emphasize the role and usefulness of Licensed Land Surveyors to the community
- (c) To foster, maintain and preserve the integrity and status of Members of the Association, to sustain honorable practice; to discourage malpractice and to encourage actively the strict observance of the Code of Ethics and the Scale of Fees adopted by the Association and the Code of Professional Conduct prescribed by the Association.
- (d) To provide the appropriate Authorities with advice and/ or information on disputed points of practice and on all questions of professional services and conduct which are considered likely to affect members of

the Association

- (e) To maintain and make available to the public an up-to-date list of members of the Association.
- (f) To enter into any arrangements with any person, firm, company or Authority in Malaysia for the advancement and benefit of the Association or its Members.
- (g) To promote and encourage the Members of the Association to keep abreast with the latest development in land surveying and its allied subjects.
- (h) To take any other actions that are incidental to or contributory towards the attainment of any or all the objectives.
- (i) To acquire land or other properties for the purpose of erecting **Association** buildings and the provision of other facilities for members.

RULE 4 MEMBERSHIP QUALIFICATION

- (1) Membership of the Association shall be **open** to any Malaysian of 21 years and above residing in Sarawak and who possess the qualifications as laid down in paragraphs (3) and (4) hereunder.
- (2) The membership of the Association shall consist of two (2) categories namely, Corporate Member, and Honorary Member. Members may be issued with certificates of membership. Such certificates are the property of the Association.
- (3) Any person wishing to become a Corporate Member shall satisfy the following conditions:-
 - (a) He must be a full member of the **Institution** of Surveyors, Malaysia.

AND

 - (b) He must hold the Licence to practice as a Land Surveyor under Section 12 of the Land Surveyors Ordinances, 2001.

AND

- (c) He shall be actively engaged in the profession of Land Surveying, in Sarawak,

AND

- (d) He shall maintain a proper office or operate from a satisfactory place of business, and the name under which the practice is conducted shall not in the opinion of the committee be misleading or objectionable.

- (4) The committee shall have the privilege to appoint as an Honorary Member any person in its opinion has made contribution to the welfare and well-being of the Association. An Honorary Member shall not hold office and shall have no voting rights in any meeting

RULE 5 APPLICATION FOR MEMBERSHIP

- (1) Every application for Corporate 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 therefor.
- (2) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed entrance fee and first annual subscription, be admitted as a member of the Association and shall be entitled to all the privileges of membership.

RULE 6 MEMBERSHIP REGISTER

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

- (a) Serial No.
(b) Date of Admission

- (c) Name
- (d) Date and Place of Birth
- (e) Identity Card Number
- (f) Nationality
- (g) Office Address
- (h) Home Address

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 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 the 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

- (1) The Committee may, if at any time it shall be of the opinion that the interests of the Association so require, by letter invite any Corporate member to withdraw from the 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 six weeks after the date of such letter. Not less than four weeks' notice of the meeting shall be given to the members. It shall be the duty of the Secretary to inform the corporate member in question in 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 of thereupon, two-thirds 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 extraordinary general meeting shall be by ballot if not less than five members present thereat shall 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.

- (2) No person who has been expelled from the Association under paragraph (1) above shall at any time be re-admitted as a member.

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 any claim upon the Association and its property and funds.

RULE 11 ENTRANCE FEE, SUBSCRIPTION AND OTHER DUES

- (1) The entrance fee and subscription payable shall be as follows:-
 - (a) Entrance Fee ----- RM1,200.00
 - (b) Annual Subscription ----- **RM100.00**
- (2) All annual subscriptions shall be due on 1st day of December each year and shall be paid to the Treasurer within one (1) month.
- (3) Any member who fails to pay his annual subscriptions by the due date shall be denied the privileges of membership until he settles his account.
- (4) Any member who allows his arrears to exceed one year subscription shall

automatically cease to be a member of the Association, and the Committee may direct that legal action be taken against him, provided that it is satisfied that he has received due notice of his debts.

- (5) The committee shall have the power to fix a re-entrance fee for any person who has allowed his membership to lapse through arrears.
- (6) Special subscriptions or levies for particular purposes may be raised from members by resolution of the general meeting of the Association. If any member fails to pay such subscriptions or levies within such period as may be resolved, the amount due shall be treated in the same way as arrears of annual subscription.

RULE 12 ANNUAL GENERAL MEETING

- (1) An annual general meeting of the Association shall be held as soon as possible 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:-
 - (a) To receive the 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 a Committee and to appoint auditors biennially;
 - (d) To deal with such other matters as may be put before it.
- (2) A preliminary notice of the annual general meeting stating the date, the time and the place and calling for motions for discussion and motions for amendment of the rules shall be sent by the Secretary to all members not later than thirty (30) 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 at the meeting must be sent to reach the Secretary not later than fifteen (15) days from the date of the preliminary notice.
- (4) The Secretary shall send to all members at least seven (7) days before the meeting an agenda including copies of minutes and reports, motions and the audited accounts of the Association for the previous year. Copies of these documents will also be made available at the registered office/address of the Association for the perusal of members.

RULE 13 EXTRAORDINARY GENERAL MEETING

- (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 one-third (1/3) of the number of Corporate Members, stating the **objects** and reasons for such meeting
- (2) An extraordinary general meeting requisitioned by members shall be convened for a date within thirty 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 fifteen days before the date fixed for the meeting.

RULE14 QUORUM AND POSTPONEMENT OF GENERAL MEETINGS

- (1) The quorum for any general meeting shall be at least twice the number of the 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 Committee.
- (3) Where no quorum is present at the subsequent date decided in accordance with paragraph (2) above,

- (i) An annual general meeting shall proceed to business provided that such meeting shall not amend these rules or make decisions affecting the whole membership;
- (i) 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 COMMITTEE

(1)

- (a) A 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 Chairman

A Vice-Chairman

A Secretary

A Treasurer

Seven (7) Ordinary Committee Members

- (b) All members of the Committee and every officer performing executive functions in the Association shall be Malaysian citizens.
- (c) Immediate Past Chairman shall be an Ex-Officio of the Committee

(2) Names for the above **offices** shall be proposed and seconded and election will be by a simple majority vote of the voting members at the annual general meeting. All the office-bearers shall be eligible for re-election.

(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. 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.

- (4) The Committee shall meet at least once every three months, and seven (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 Committee Members must be present for its proceedings to be valid and to constitute a quorum.
- (5) Any member of the Committee who fails to attend two consecutive meetings of the Committee without satisfactory explanation shall be deemed to have resigned from the Committee
- (6) 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.
- (7) 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 organiser 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.
- (8) Except where they 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

- (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.
- (2) The Vice-Chairman shall deputise for the Chairman during the latter's absence.
- (3) The Secretary shall conduct the business of the Association in accordance with its rules, and shall carry out the instructions of the general meeting and of the 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 and record the proceedings
- (4) 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.

RULE 17 FINANCIAL PROVISIONS

- (1) The financial year of the **society** shall commence on 1st January annually.
- (2) The incomes and property of the Association and profits derived from participation in any business or investment shall be applied solely towards the furtherance, promotion and execution of the objectives 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 persons who at any time are or have been members of the Association or to any person claiming through them. But nothing herein contained shall prevent the

payment in good faith of 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 advance not exceeding Five Hundred ringgit (RM500.00) 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.
- (4) All cheques or withdrawal notices on the Association's account shall be signed jointly by the Chairman (or in his absence the Vice-Chairman), the Secretary and the Treasurer. In the absence of the Secretary or the Treasurer, the Committee shall appoint one of its members to sign in his place.
- (5) No expenditure exceeding Five Thousand ringgit (RM5,000.00) at any one time shall be incurred without the prior sanction of the Committee, and no expenditure exceeding Ten Thousand ringgit (RM10,000.00) at any one time shall be incurred without the prior sanction of a general meeting.
- (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 by the Treasurer and audited by the Auditor/ Auditors appointed under Rule 18. 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/ address of the Association for the perusal of members.

RULE 18 AUDIT

- (1) One or more persons, who shall not be office-bearers of the Association, shall be appointed by the annual general meeting as Auditors. He/ They

shall hold office for two years and can 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 **President** to audit the accounts of the Association for any period within his/ their tenure of office at any date, and date to make a report to the Committee.

RULE 19 APPOINTMENT OF OFFICERS UNDER SECTION 9 (b) OF SOCIETIES ACT, 1966

- (1) Three officers who must be office-bearers and over 21 years of age shall be appointed at the annual general meeting for the purpose of Section 9 (b) of the Societies Act, 1966.
- (2) They shall hold office until their term expires at the next Annual General Meeting and shall be eligible for re-election.
- (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.
- (4) The officers shall not sell, withdraw 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 20 BY-LAWS

The Committee may make, repeal and alter by-laws which are not **inconsistent**

with these rules. Members shall be notified by the Secretary of all by-laws or rescissions or alterations at least two weeks before such by-laws or rescissions or alterations shall become binding on all members. During the two-week period, any member, may by notice in writing to the Secretary, require the opinion 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 **an** all members.

RULE 21 SUB-COMMITTEES

The Committee shall have power to appoint sub-committees for the furtherance of the **objects** of the Association as it may deem fit and to delegate to sub-committees such powers as it may consider necessary and expedient, and to withdraw from sub-committees all or any 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.

RULE 22 CODE OF PROFESSIONAL CONDUCT

- (1) Every member shall observe and be guided by the following provisions of the code of Professional Conduct:-
 - (a) Every Member shall order his conduct so as to uphold the dignity, standing and reputation of the profession;
 - (b) No Corporate Member shall canvass or solicit professional employment or offer to make by commission or otherwise payment for the introduction of such employment;
 - (c) Every Corporate Member may only exhibit plates and signs at his places of business exhibiting his name, titles and professional qualification and may only advertise for a period not exceeding three

- (3) months from the commencement of practice in any new place or formation or dissolution of a partnership.
- (d) Every Corporate Member shall be remunerated solely by the fees payable by his client in accordance to the fees adopted by the Association.
- (e) No Corporate Member shall directly or indirectly attempt to supplant another Member nor shall he intervene or attempt to intervene in, or in connection with, survey work of any kind which to his knowledge has already been awarded to another Member nor shall he review or take over the work of that other Member acting for the same client, until he has either obtained the consent of that Member or has been formally notified by the client that the engagement of the Member for that work has been properly terminated;
- (f) No Member shall assume or consciously accept a position in which his interest is in conflict with his professional duty;
- (g) No Member shall maliciously injure or attempt to injure, whether directly or indirectly, the professional reputation, prospects or business of another Member;
- (h) No Member shall:-
- (i) offer any financial inducement to secure instruction;
 - (ii) undertake or offer to undertake work for charges which in the opinion of the Committee would be unfair to other Members; or
 - (iii) attempt to compete with another Member on the basis of fees.

RULE 23 PROXY

- (1) Any Corporate Member who for any reason is unable to attend a General

Meeting may appoint another Corporate Member to attend and to vote on his behalf. The proxy shall be valid for use at one meeting only, or for any adjournment of the meeting.

- (2) The instrument in proper form appointing a proxy must be deposited at the office of the Association before the meeting at which it is intended to be used.

RULE 24 ANNUAL RETURN

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 25 SPECIAL PROVISIONS

- (1) 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.
- (2) No benefits as defined under Section 2 of the Societies Act, 1966 shall be given by the Association to any of its members.
- (3) 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.
- (4) 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.
- (5) No gambling or any illegal activities shall be carried out at the premises of the Association.

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 AMENDMENTS 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.

RULE 28 DISSOLUTION

- (1) The Association may be voluntarily dissolved by a resolution of not less than three fifth 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 legally incurred on its behalf shall be fully discharged and the remaining fund shall be disposed of in such manner as may be decided upon by a general meeting.
- (3) Notice of dissolution shall be given to the Registrar of Societies within 14 days of such dissolution.

Chairman

Secretary