

## CONSTITUTION

### PERTUBUHAN GERONTOLOGI DAN GERIATRICS SARAWAK (SARAWAK GERONTOLOGY & GERIATRICS SOCIETY)

#### CLAUSE 1 NAME

1. The Association shall be known as

**PERTUBUHAN GERONTOLOGI DAN GERIATRICS SARAWAK (SARAWAK GERONTOLOGY & GERIATRICS SOCIETY)**

Hereinafter referred to as "the Association".

2. Meaning of name : **Relates to older persons by extending the Healthy Stages thereby compressing the debility years herein called The Healthy Elderly.**
3. Level : **Negeri**

#### CLAUSE 2 ADDRESS

1. The registered address is

**B423-B433, TOWER B2, LEVEL 4, ICOM SQUARE, JALAN PENDING, 93450 SARAWAK**

**93450 KUCHING, SARAWAK**

or at such other place as may from time to time be decided by the Committee; and the postal address is

**B423-B433, TOWER B2, LEVEL 4, ICOM SQUARE, JALAN PENDING, 93450 SARAWAK EMAIL: SGG.SARAWAK@GMAIL.COM WEBSITE: HTTP://SGGS.MY**

**93450 KUCHING, SARAWAK**

2. The registered and postal addresses shall not be changed without the prior approval of the Registrar of Societies.

#### CLAUSE 3 OBJECTIVE

1. To encourage and support the Healthy Elderly and senior citizens so as to enable them to remain in the society and to continue to live their lives to the fullest and to

give recognition to their contributions to the State.

2. To recognize, promote, instill and maintain the Asian family values of love and respect for our elders;
3. To promote better understanding between the young and the senior citizens;
4. To generate community interest, support and participation in organizing programs and activities with and for the Healthy Elderly and senior citizens;
5. To provide opportunities for the Healthy Elderly and senior citizens to present their opinions and views on matters concerning them to the relevant authorities in the State and the Federal Government;
6. To coordinate/work together with various senior citizen organizations with similar objectives in Sarawak;
7. To encourage and assist in the establishment of branches benefiting the Healthy Elderly and senior citizen organizations throughout Sarawak;
8. To raise funds, collect, manage, and disburse funds raised for the benefit of the Healthy Elderly and senior citizens, old folks' homes, welfare services and other projects, subject to the prior approval of the authorities concerned.

#### **CLAUSE 4 MEMBERSHIP**

##### **1. QUALIFICATIONS AND TYPES OF MEMBERSHIP**

###### **(a) Ordinary Membership**

- i) All residents in Sarawak having reached 45 years old and above, and
- ii) All Permanent Residents of Sarawak, or
- iii) Non-Sarawakian married to local spouses of Sarawak origin and domiciled in Sarawak

of good character and who are willing to oblige to the rules and regulations of the Association shall be eligible for membership of this Association, upon payment of the prescribed fee as in Clause 6.

###### **(b) Life Membership**

Any person eligible for Ordinary Membership may apply to become Life Member, upon payment of the fee as prescribed.

##### **2. APPLICATION FOR MEMBERSHIP**

- (a) Every application for membership shall be made in the form prescribed by the

Association and shall be proposed and seconded by an existing Ordinary Member or Life Member who knows the applicant in person. The application 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 reject any application without assigning any reason thereof.

b) Every application form submitted needs the approval and signature of the President.

(c) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed fees, be admitted as a member of the Association and shall be entitled to all the privileges of membership.

### 3. 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 the rules.

### 4. INJURIES TO MEMBERS

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

### 5. DAMAGE/REMOVAL OF PROPERTY

Any member of the Association breaking or damaging any article or property of the Association shall pay the cost of repairing or replacing it, if he is called upon to do so by the Executive Committee.

## **CLAUSE 5 RESIGNATION AND TERMINATION**

### (1) 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 or one calendar month from the date of submission whichever is closer to the date.

### (2) EXPULSION OF MEMBERS

(a) The Executive Committee may, if at any time it shall be of the opinion that the interests of the Association so require, by letter invite any member to withdraw from

the Association within such time as is specified in such letter, and in default of such withdraw to submit the question of his expulsion to any 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 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 members shall be allowed to offer an explanation of his conduct verbally or in writing and if thereupon, one-thirds of the members present shall vote for his termination 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 power of the Committee to exclude such member from the Association's premises until such Extraordinary General Meeting is held as required above.

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

### (3) EFFECT OF CEASING TO BE A MEMBER

Any person shall, upon ceasing to be a member of the Association whether on account of resignation, expulsion or otherwise, shall forfeit all rights to any claim upon the Association and its property and funds, including the Membership Fee.

## CLAUSE 6 SOURCE OF INCOME

### 1. MEMEBERSHIP FEE

(1) Ordinary membership - (RM20.00) only per annum, payable on or before 31st of January each year.

(2) Life Member shall pay one off life membership fee of Malaysia Ringgit One Hundred (RM100.00).

(3) An Ordinary Member who delays or fails to pay his membership fee for more than a year, will receive a membership suspension letter from the Secretary, until he settles the due.

(4) Ordinary Member who fails to pay two(2) years membership fee, shall cease to be a member.

(5) Ordinary Member who ceases to be a member may be reinstated with conditions, at the discretion of the Executive Committee.

(6) Special Subscription or levies for particular purposes may be raised from members by resolution of a General Meeting of the Association. If any member fails to pay such Subscription within such period as may be resolved, he shall automatically cease

to be a member of Association. He may re-apply as a member of Association for his reinstatement.

(7) Free memberships for applicant who are 90 years old and above but still active.

(8) Proceeds from fund raising during activities organized or participated by the Association.

(9) Grants from government departments and agencies, private institutions, personal entities and other relevant legal sources.

## **CLAUSE 7 GENERAL MEETING**

### **1. ANNUAL GENERAL MEETING**

(a) An Annual General Meeting of the Association shall be held as soon as possible after the close of each financial year on a date not later than ninety (90) days and at a time and place to be decided by the Executive Committee.

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

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

(iii) To elect an Executive Committee and to appoint an auditor triennially;

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

(b) 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 by mails or electronic media to all members not later than 24 days before the date fixed for the meeting, and this notice shall also be prominently displayed at the registered office/address of the Association.

(c) Motions for discussion at the meeting must be sent to reach the Secretary not later than 14 days from the date of the preliminary notice.

(d) The Secretary shall notify all members at least 7 days before the meeting, copies of agenda including copies of minutes, reports, motions, and the audited accounts of the Association for the previous year will be made available at the registered office/address of the Association for the perusal of members.

### **2. EXTRAORDINARY GENERAL MEETING**

(a) An Extraordinary General Meeting of the Association shall be convened:

(i) Whenever the Executive Committee deems it desirable, or

(ii) At the joint request in writing of not less than 20 members, stating the objects and reasons for such meeting.

(b) An Extraordinary General Meeting requisitioned by members shall be convened for a date within thirty (30) days of the receipt of such requisition.

(c) Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Secretary to all members at least seven (7) days before the date fixed for the meeting.

### 3. Quorum

(a) The quorum for the Annual General Meeting and Extraordinary Meeting shall be at least twice the number of Executive Committee Members or one-half (1/2) of the total membership, whichever is the lesser.

(b) In the absence of a quorum, the meeting shall be postponed to a later date to be decided by the Committee.

(c) When quorum is still insufficient at the subsequent date,

(i) An Annual General Meeting shall proceed provided that such meeting shall have no power to amend the Association constitutions and shall not make decisions related to its members.

(ii) An Extraordinary General Meeting requisitioned by members shall be canceled and no Extraordinary General Meeting shall be requisitioned for the same purpose until after a lapse of six (6) months from the date thereof.

(d) Virtue meeting conducted wholly or partly through electronic, digital communication or any technology accepted as per Article attached. This shall also apply to the Executive Committee Meeting as in Clause 8 Article (4).

## CLAUSE 8 COMMITTEE

(1) (a) An Executive Committee consisting of the following who shall be termed the office-bearers of the Association shall be elected triennially at the Annual General Meeting. The Committee shall consist of 11 members as follows: -

A President

A Vice-President

A Honorary Secretary

An Assistant Honorary Secretary

A Honorary Treasurer

An Assistant Honorary Treasurer

Five Ordinary Committee Members

(b ) All members of the Executive Committee shall be Malaysian citizens of Sarawak origin and domiciled in Sarawak aged 55 and above.

(2) Names for the above positions shall be proposed and seconded and elections are conducted through voting by members in the triennial General Meeting. All the Office-Bearers shall be eligible for re-election.

(3) 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.

(4) The Executive Committee shall meet at least once every three (3) months, and seven (7) 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 meeting of the 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.

(5) Any member of the Committee who fails to attend three (3) consecutive meeting 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 Executive Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint such organizers and such staff as it deems necessary. It may suspend or dismiss any organizer or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Executive 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 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 shall have power to appoint Sub-Committee for the furtherance of the objects of the Association as it may deem fit and to delegate to or withdraw from Sub-Committee all or any of the powers so delegated and revoke all such appointments. Any such committee so appointed shall, in exercising the

powers so delegated, conforms to any of the regulations that may from time to time be imposed upon it by the Executive Committee.

(10) The Executive Committee may make, repeal and amend any by-laws, which are inconsistent with the constitutions. All by-laws or rescission and amendments thereof shall be posted on the notice board in the Association's premises for a fortnight, during which time any 30 members, may by notice in writing, seek the opinion of an Extraordinary General Meeting to be taken thereof. If no such notice were given, the by-laws or rescission, or amendments thereof shall become binding on all members.

(11) An election Committee shall be selected for each election year. This Committee will be chosen by Executive Committee who will select 5 members exhibiting maturity, intelligence and knowledgeable in this Association matters.

## **CLAUSE 9 DUTIES OF OFFICE BEARERS**

(1) The President shall during his term of office, preside at all General Meeting 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 Vice-President shall deputize for the President during the latter's absence.

(3) (a) The Secretary shall conduct the business of the Association in accordance with the rules, and shall carry out the instructions of the General Meeting and of the Executive Committee. He shall be responsible for conducting all correspondences and keeping all books, documents and papers, except the accounts and financial records. He shall attend all meetings and record the proceedings.

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

- (a) Serial No.
- (b) Date of Admission
- (c) Name
- (d) Sex
- (e) Date and Place of Birth
- (f) Identity Card Numbers
- (g) Nationality
- (h) Occupation and Office Address
- (i) Home Address/Email Address/Telephone No.

(c) The Secretary shall, within sixty (60) days after the holding of the Annual General Meeting of the Association, forward to the Registrar of Societies an annual



return in the prescribed form.

(4) The Assistant Secretary shall assist the Secretary and shall act for the Secretary in his absence.

(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 accuracy.

(6) The Assistant Treasurer shall assist the Treasurer and shall act for the Treasurer in his absence.

(7) The Ordinary Committee Members shall assist the above officers in carrying out their duties.

#### **CLAUSE 10 FINANCIAL PROVISION**

(1) The financial year of the Association shall commence on 1st January annually.

(2) The income and properties of the Association shall be applied solely towards the promotion of the objects of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise to the person or persons who at the 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 petty cash advance not exceeding One Thousand Ringgit (RM1,000.00) at any one time. All money in excess of this sum shall, within 7 days of receipt, be deposited in a bank approved by the Executive Committee. The bank accounts shall be in the name of the Association.

(4) The President, the Secretary and the Treasurer are the authorized signatories for the Association's account. All cheques or withdrawal notices on the Association's account shall be signed jointly by any two of them.

(5) No expenditure exceeding Three Thousand Ringgit (RM3,000.00) at any one time shall be incurred without the prior sanction of the Executive Committee, and no expenditure exceeding Thirty Thousand Ringgit (RM30,000.00) 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 balance sheet for the year shall be prepared by the Treasurer and audited by the Auditor appointed under Clause 8 Article 11. The audited accounts shall be made available at the registered office/address of the Association

for the perusal of members.

#### **CLAUSE 11 AUDITORS**

(1) One person, who shall not be office-bearer of the Association, shall be appointed by the Triennial General Meeting as Honorary Auditor. He shall hold office for Three (3) years.

(2) The Auditor shall be required to audit the annual accounts of the Association and to prepare a report or confirmation for the General Meetings. He may also be required by the President 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 Executive Committee.

#### **CLAUSE 12 PROPERTY ADMINISTRATOR**

(1) Three officers, who must be office-bearers, shall be appointed at the Triennial General Meeting for the purpose of Section 9(b) of the Societies Act, 1966.

(2) They shall hold office for a term of three (3) years and shall be eligible for reappointment.

(3) The officers appointed under this Clause 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 property of the Association without the consent and authority of a General Meeting.

(5) Officers may be removed from office by a General Meeting on the ground that, owing to ill health, unsoundness of mind, absence from the country or for any other reason, he may be incapable to perform his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of an officer before the General Meetings, the vacancy shall be filled by an Extraordinary General meeting convened for the purpose.

#### **CLAUSE 13 INTERPRETATION**

(1) Between Triennial General Meetings the Executive Committee shall interpret the rules of the Association. Propose amendment to suit contemporary needs for the benefit of the Association and submit the same to the Registrar of Societies after vetting through Executive Committee Meeting.

(2) The term masculine gender shall be deemed to refer to the feminine, and the singular person shall be deemed to refer to the plural, wherever appropriate.

(3) As used in this Constitution, the term "Association" shall have the same meaning as "Society" and deemed to refer to the Sarawak Gerontology and Geriatrics Society or SGGS.

#### **CLAUSE 14 ADVISOR / PATRON**

Patrons/Advisors may be appointed by the Executive Committee.

#### **CLAUSE 15 PROHIBITION**

(1) 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.

(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 who is disqualified under Section 9A of the Societies Act, 1966 shall not hold office in the Association or become an Advisor or employee of the Association.

(4) The Association shall not carry out official activities or involve itself whether directly or indirectly with any political party.

(5) No gambling or any other illegal activities shall be carried out in the premises of the Association.

#### **CLAUSE 16 AMENDMENT OF CONSTITUTION**

This constitution may not be altered or amended except by resolution of a Biennial General Meeting. Such alterations or amendments shall take effect from the date of their approval by the Registrar of Societies.

#### **CLAUSE 17 DISSOLUTION**

(1) The Association may be voluntarily dissolved by a resolution of not less than three-fifth (3/5) 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 discharged, and the remaining funds

shall be disposed upon such manner as may be decided upon by a General Meeting.

(3) Notice of such dissolution shall be given to the Registrar of Societies within 14 days of its dissolution.

## CLAUSE 18 FLAG, LOGO AND BADGE

### 1. Flag

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Description

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### 2. Logo



Description

Round shape representing the characteristics of wholeness, the infinite, eternity, and dynamic cyclic movement.

The Hour Glass shaped by 2 Gs reflects Gerontology and Geriatrics. The sand level states the Golden Year members are in. Blue colour means healthy and cheerfulness. White colour symbolises pure hearted and peace-loving attitude.

### 3. Badge

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Description

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