

CONSTITUTION

PERSATUAN UNIQUEVARCITY PENDAKI (UNIQUEVARCITY OF HIKERS ASSOCIATION)

CLAUSE 1 NAME

1. The Association shall be known as

PERSATUAN UNIQUEVARCITY PENDAKI (UNIQUEVARCITY OF HIKERS ASSOCIATION)

Hereinafter referred to as "the Association".

2. Meaning of name : **UNIQUE–VAR-CITY OF HIKERS** – represent the unique group of hikers that comes from various backgrounds and geographical areas that cares for the less fortunate.

3. Level : **Kebangsaan**

CLAUSE 2 ADDRESS

1. The registered address is

**89-A, TINGKAT SATU, JALAN SULTAN
50000 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

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

**89-A, TINGKAT SATU, JALAN SULTAN
50000 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

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

CLAUSE 3 OBJECTIVE

3.1 To spur and encourage the climbing and hiking activity of its members.
(Menggiatkan sukan aktiviti mendaki serta merekrut keahlian pendaki untuk bersama menguatkan kesihatan jasmani dan rohani)

3.2 To provide financial assistance to the needy, especially those living in the foothills of any mountains in Malaysia, particularly in sponsoring the expenses

related to the children's upbringing and educational needs.
(Membantu mengurangkan kos sara hidup golongan rakyat berpendapatan rendah terutama mereka dari golongan miskin / mereka yang tinggal di kaki gunung di Malaysia terutamanya dalam menampung perbelanjaan membesarkan anak-anak.)

3.3 With permission from the legal authorities, the Society would/will procure funds from donors and sponsors in order to run the Society's programs, activities and other running costs.
(Mewujudkan tabung khas bagi membiayai kos aktiviti persatuan dengan menerima kutipan derma atau tajaan-tajaan dengan syarat mendapat kebenaran daripada pihak berkuasa yang berkaitan.)

3.4 To create special funds to render financial assistance to those suffering from chronic or terminal illness and to lessen the daily expenses of the recipient.
(Mewujudkan dana khas untuk membantu mereka yang memerlukan terutama mereka yang menghidap penyakit kronik serta dalam membantu meringankan perbelanjaan harian penerima.)

3.5 To be the center for collection of pre-loved or pre-owned clothes and items that can be recycled for use by others.
(Menjadi pusat pengumpulan bekalan pakaian dan barangan terpakai yang masih boleh digunakan untuk kegunaan keluarga lain.)

3.6 To conduct economic activities to generate income for the Society, including collection of annual membership fees.
(Menjalankan perniagaan dan jualan amal untuk menjana pendapatan persatuan.)

3.7 To collaborate with agencies, governmental or non-governmental or any volunteer groups in the hope to achieve the goals and the objectives of the Society.
(Bekerjasama dengan pelbagai agensi sama ada swasta, kerajaan atau badan sukarela dalam menjayakan aktiviti persatuan.)

CLAUSE 4 MEMBERSHIP

4.1 Membership of the Society are as follows:

4.1.1 ORDINARY MEMBER

All Malaysian citizens and permanent residents of Malaysia provided they are age eighteen (18) years and above.

4.1.2 ASSOCIATE MEMBER

Any other residents of Malaysia.

4.1.3 HONORARY MEMBER

Nil

4.1.4 LIFE MEMBER

Nil

4.1.5 CORPORATE MEMBER

Nil

4.2 Every application must be proposed and supported by two (2) members of the Society and the said form must be sent to the EXCO for their consideration. The EXCO may, at its absolute discretion, accept or reject the application.

4.3 All application shall be accompanied by the payment of the fees stated in Clause 6. Upon the receipt of the same and acceptance of the application, the said applicant shall be regarded as a member of the Society.

4.4 Any applicant who is not accepted by the Society shall be notified and refunded of any fees paid.

CLAUSE 5 RESIGNATION AND TERMINATION

5.1 Members who wish to resign, withdraw from the membership roll of the Society or cease to be a member shall be required to give their written notice to the Secretary by hand or email to enable the said Secretary to update the membership roll. The withdrawal of the member shall take effect immediately upon the receipt of the said written notice by the Secretary.

5.2 Any member who fails to abide by this Constitution or acts in the adverse interest of the Society can be removed and /or cause their membership to be terminated, withdrawn or suspended for a period of time regarded as reasonable by the EXCO, where the said member shall be informed of the reasons of the same in writing. The said member shall be accorded the right to be heard before the EXCO terminate, remove, withdraw or suspend the membership. The sacking or suspension of the member will be carried out except where the AGM postpones such decision or rejects the said decision upon the appeal as made by the said member

CLAUSE 6 SOURCE OF INCOME

6.1 One-off non-refundable Entry Fee: RM50 (Ringgit Malaysia: Fifty Only)

6.2 Annual Fee

RM50 (Ringgit Malaysia: Fifty Only) to be payable to the Society.

Annual Fees paid are non-refundable and are payable in advance anytime before the 7th January of each year.

6.3 The EXCO shall have the power to determine the entry fee for those who caused their membership to be revoked due to non-payment.

6.4 Contribution

The Society is allowed to receive contribution in the form of cash and goods from any contributor or organization. Contribution in the form of cash must be recorded

accurately in the accounting records of the Society by the Treasurer. Upon request, 3 copies of the audited Financial Statement shall be made available for viewing by any member at the registered address.

6.5 Economic Activity

The Society can carry out activities such as selling, buying, investing, renting, owning properties, both immovable and movable assets and other such economic activities.

CLAUSE 7 **GENERAL MEETING**

ANNUAL GENERAL MEETING

7.1 For this Constitution, the administration of this Society shall be carried out by the EXCO.

7.2 The quorum for the Annual General Meeting (hereinafter referred to as "AGM") shall be regarded as sufficient if the members that are present are half (1/2) of the membership roll of the Society.

7.3 If the quorum is not met after half hour after the time scheduled for the AGM, then the members who are present shall constitute a quorum and proceed to convene the meeting but shall not be empowered to amend the Constitution of the Society.

7.4 The AGM is to be held within fifteen (15) months from the last AGM on the date, time and venue to be decided by the EXCO. The purpose of the AGM shall be:

7.4.1 To receive the EXCO report of the year activities;

7.4.2 To receive the Treasurer Report;

7.4.3 To approve the Audited Financial Statement of the last financial year;

7.4.4 To elect the members of the EXCO and the Auditor (where applicable); and

7.4.5 To deal with any matters arising during the meeting.

7.5 At least fourteen (14) days notice of any general meeting shall be given to every members. Notice shall be issued by way of e-mail to the e-mail address registered by the members with the Society.

7.6 Every notice for a general meeting shall include but not be limited to the following:

7.6.1 the place, date and time for the meeting;

7.6.2 agenda of the meeting

7.6.3 each proposed resolution to be considered at the meeting; and

7.6.4 a notification to each members of his voting rights and that he may vote in person or by proxy at the meeting.

7.7 Any member who is not able to attend the AGM is entitled to appoint another member as a proxy, provided such member is listed in the membership roll. Any member attending any general meetings are entitled to represent himself in his capacity as a member and one (1) other member as a proxy.

7.8 Each member is entitled to one (1) vote, or two (2) votes if he is also appointed as a proxy.

7.9 Any member may, by notice in writing deposited at the registered office of the Society not less than seven (7) days before the meeting date, require inclusion of a motion as set out in such notice in the agenda of the next general meeting of the Society. The said motion shall be included in the agenda of the next general meeting and the notice of the motion shall be informed by way of email to the members.

7.10 Unless the President declines to chair the meeting, every general meeting shall be presided over by a chairman who shall be elected by those members present and the chairman shall preside over such meeting until its conclusion.

7.11 Any matters that require a decision at a general meeting shall be decided through voting by members of the Society by show of hand. In the case of an equality of votes, the chairman shall be entitled to a casting vote.

EXTRA ORDINARY GENERAL MEETING

7.12 A general meeting of the Society other than the AGM shall be known as the Extraordinary General Meeting ("EGM") The EGM shall be convened:

7.12.1 When it is deemed necessary and important by the EXCO; or

7.12.2 upon requisition by no less than ten (10) members of the Society. The requisition shall

7.12.2.1 be made in writing.

7.12.2.2 state the objective(s) of the meeting.

7.12.2.3 be signed by all the requisitionists, and

7.12.2.4 be deposited at the registered office of the Society.

7.13 EGM as requisited by the members shall be held as soon as practicable but in any case not later than thirty (30) days after the requisition has been deposited at the registered office of the Society.

7.14 The announcement and the agenda of the EGM shall be made known to all the members at least fourteen (14) days by e-mail before the day of the said meeting.

7.15 The quorum for the EGM shall be regarded as sufficient if the members that are present are half (1/2) of the membership roll of the Society.

7.16 If the quorum is not met after half hour after the time scheduled for the EGM, then the said meeting shall be adjourned to another date to be fixed by the EXCO. In any case the adjournment shall not be earlier than 6 months from the adjourned meeting if it is based on the same reason or requisition.

7.17 A copy of the minutes of meeting shall be emailed to all the members within one (1) month after the said meeting.

7.18 All notices stated in Clause 7 shall be served via email and that conditioned

that it has been sent to all the members of the EXCO and five (5) members of the Society and it shall be regarded as proper service of the said notice.

CLAUSE 8 COMMITTEE

EXCO

8.1 The EXCO shall be elected in the AGM of the Society. The EXCO consists of:

8.1.1 President

8.1.2 Vice President

8.1.3 Secretary

8.1.4 Treasurer

8.1.5 Eleven (11) committee members

8.2 The names and the post that are to be nominated and elected shall be done by vote by the members in the AGM. The EXCO may be elected again after two (2) years.

8.3 Office bearers, namely President, Vice President, Secretary and Treasurer of the Society shall not hold office for more than two (2) consecutive terms of office.

8.4 The responsibilities of the EXCO shall be to supervise and arrange the daily work of the Society and in making the decision of the Society in accordance with the general policy as laid down by the Society. The EXCO cannot act adversely against the general decisions taken by the members and the EXCO must act in accordance to the general wishes of the members. The EXCO shall be required to submit its report with regards to its activities in the past year at all of its meeting.

8.5 The EXCO shall convene their meeting at least four (4) times in a calendar year. The notice of such meeting shall be given to all the members of the EXCO at least seven (7) days before the said meeting. The President, on his own and with no less than five (5) members of the EXCO shall be present to make quorum and shall be able to convene its meeting at anytime.

8.6 Any EXCO members who is absent from three (3) consecutive meetings shall be removed as member of the EXCO without further notice.

8.7 In the event that there is any urgent or important matters requiring the approval of the EXCO but the ECXO meeting cannot be held, then the Secretary shall obtain the consent of the EXCO and distribute the circular to the EXCO. These conditions must be adhered to before any decisions reached by the EXCO shall be accepted:

8.7.1 The matters as raised are particularized and detailed in the circular to be distributed to the EXCO.

8.7.2 That at least six (6) EXCO members must state their agreement or objection against the said proposal; and

8.7.3 Any decision will be reported by the Secretary to the EXCO for their adoption and confirmation and to be minuted in the Minutes of the Meeting.

8.8 If any of the EXCO passes away or resigns, the second candidate with the highest vote at the last election shall be called to fill the vacancy. However, in the event if the said candidate declines the said vacancy, then the EXCO shall be empowered to nominate and appoint any member of the Society to fill the said vacancy until the next AGM.

8.9 Any resignation of EXCO members shall be made in writing to the EXCO.

8.10 The EXCO can instruct the Secretary and any of its office bearers to carry out the business of the Society, appoint any manager and staff, as it deems necessary. It can also suspend or remove the position of any manager or staff, if they are regarded as not faithful in the execution of their work, willfully disobeying the instructions of the EXCO or for any reasons that is deemed adverse to the interest of the Society.

8.11 The EXCO may, as it see fit and proper, to set up a sub-committee and give it due authority to perform all of its special duties.

8.12 The outgoing EXCO shall be required to hand over all of the official documents such as registrations, registered constitution, copy of the Financial Statement, correspondence, account books, cheque books, cheques, receipts, grant titles, list of assets and others to the incoming EXCO.

CLAUSE 9 DUTIES OF OFFICE BEARERS

9.1 The President, in his term of office shall chair all the general meetings and the EXCO meetings and shall ensure the smooth proceedings of all the meetings. He shall have the deciding vote and shall be required to sign all the minutes of meeting.

9.2 In the absence of the President, the Vice President shall carry out the duties of the President.

9.3 The Secretary shall carry out the work of the Society in accordance to the Constitution and shall obey the instructions of the EXCO. He will be responsible to handle and to upkeep all the correspondence, records and documents relating to the Society except for the issues relating to finances. The Secretary shall keep the rolls of membership containing all the detailed category such as name, place of birth, date of birth, NRIC No, occupation, name of employer and place of residence. The Secretary, or in his absence an appointed EXCO member, shall be required to attend all the meetings and to record the minutes of the meetings.

9.4 The Treasurer shall be responsible for all the finances and treasury matters of the Society. He shall be responsible for the accurate recording of the financial activities of the Society as presented in the audited Financial Statement of the Society.

9.5 The ordinary committee members shall assist the EXCO of their tasks.

CLAUSE 10 FINANCIAL PROVISION

10.1 Subject to the provisions as contained in this Constitution, the funds of the Association can be utilized for beneficial works outlined the objectives of the Association including the expenditure for administration, salary (including salaried officers of the Association, if any) and the auditor.

10.2 The EXCO shall approve the limits of authority for the following :

10.2.1 Authority limits for approval of expenditure

10.2.2 Payment signatory limits and mode of operation of bank accounts

10.2.3 Limit of petty cash

10.3 The Treasurer or any persons authorized by the EXCO shall b permitted to keep petty cash advance not exceeding RM500-00 (Ringgit Malaysia Five Hundred). All money in excess amount shall be deposited into the Association's bank approved by the Committee.The Bank account shall be in the name of the Association.

10.4 All cheques or withdrawals notices on the Association's account shall be signed jointly by the President,the Secretary and Treasurer.In the absence of the President, the Secretary or the Treasurer for a long period, the Committee shall appoint one of its members to sign in his/her place.

10.5 No expenditure exceeding RM2500-00 (Ringgit Malaysia Two Thousand Five Hundred)at any one time shall be incurred without the prior approval of the Committee, and no expenditure exceeding RM10,000-00 (Ringgit Malaysia Ten Thousand) in any one month shall be incurred without the prior sanction of a general meeting. Expenditure less than RM2500-00 (Ringgit Malaysia Two Thousand Five Hundred) at any one time may be incurred by the President together with the Secretary or the Treasurer.

10.6 The annual Financial Statement is to be prepared by the Treasurer and shall be audited by the appointed auditor in accordance to Clause 11 at expediently upon the expiration of the financial year. The audited Financial Statement shall be distributed to all the members for their approval. A copy of the same shall be placed at the Association's registered address.

10.7 The financial year of the Association shall commence on the 1st January and end on the 31st December every year.

CLAUSE 11 AUDITORS

11.1 One auditor who is not the EXCO member can be appointed during the AGM as the auditor for the Association. He/she will hold the post for two (2) years and can be reappointed.

11.2 Auditor shall be required to examine the Financial Statement of the Society for the year. The said auditor shall certify and sign the said Financial Statement for consideration of the members of the Association during the AGM. The auditor may be required by the President to audit the Financial Statement of the Association at

any time during their tenure as the auditor and to report to the EXCO.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

12.1 All the immovable assets of the Society shall be held and registered in the name of the Society and all the documentations and execution of the said property shall be regarded as valid and enforceable as proprietor when executed by three (3) of the office bearers of the Society and in accordance to the sealed Letter of Appointment as confirmed by the Registrar of Societies.

12.2 The immovable asset of the Society shall not be sold, charged, transferred or exchanged without the consent of the members during the AGM.

CLAUSE 13 INTERPRETATION

15.1 Between any two (2) general meetings, the EXCO shall be empowered to give its interpretation to this Constitution and if necessary to decide the matters that are not contained in this Constitution.

15.2 Save and except where the matter contravenes with the resolution made in the AGM, the decision of the EXCO shall be final.

CLAUSE 14 ADVISOR / PATRON

There is no provision for this Clause

CLAUSE 15 PROHIBITION

15.1 The Society shall not carry out any form of lottery or any activities prohibited by law in the name of the Society without the approval of the authority.

15.2 "Interest" as defined in Section 2 of the Societies Act, 1966 cannot be given by the Society to any of its members.

15.3 All revenue or profits earned by the Society in any of their economic activities shall be channeled back to the Society to achieve the objectives of the Society and can never be used to pay any interest, profits and bonus to any members of the Society. Despite the same, the provision does not prevent the payment of the salary and administration expenses or both to any of the staff or the employee of the Society.

CLAUSE 16 AMENDMENT OF CONSTITUTION

This Constitution cannot be amended saved and except with a resolution approved in an AGM/EGM where the decision to amend ought to be attended by the two thirds (2/3) members of the Society. The application to amend the Constitution shall be presented to the Registrar of Societies within sixty (60) days from the date of resolution and that it can only take effect after the amended Constitution has been received, accepted and approved by the Registrar of Societies.

CLAUSE 17 DISSOLUTION

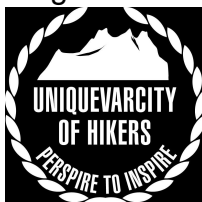
17.1 The Society can be dissolved voluntarily with the agreement of no less than three quarters (3/4) total of its membership rolls called to vote during an AGM/EGM.

17.2 If the Society seeks to be dissolved as stated above, all debts and liabilities of the Society in accordance to the Constitution shall be settled and the balance of the amount shall be distributed in accordance to the manner as prescribed and agreed during the AGM/EGM.

17.3 The Registrar of Societies shall be informed of the decision of the dissolution within fourteen (14) days from the date of the approved decision by the members.

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag



Description

The Flag of the Society bear the rope that binds and surrounding the Mount Kinabalu being the highest peak in Malaysia symbolizes the high objective of the Society in helping out the Society. The Blackground which is in Color Black carries the impartiality of races that comes together.

Slogan - PERSPIRE TO INSPIRE (Berpeluh untuk Memberi Inspirasi)
unofficially

2. Logo



Description

The Logo of Society places the Mount Kinabalu being the highest peak in Malaysia symbolizes the high objective of the Society in helping out the Society.

Slogan - PERSPIRE TO INSPIRE (Berpeluh untuk Memberi Inspirasi)

3. Badge



Description

The Badge of Society carries the same insignia as the logo.

Slogan - PERSPIRE TO INSPIRE (Berpeluh untuk Memberi Inspirasi)
unofficially