



KDCA

CONSTITUTION

&

RULES

(Incorporating KDCA Constitutional Amendment
as approved by ROS on 27th April 2001)

Kadazandusun Cultural Association Sabah, Malaysia
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KDCA CONSTITUTION & RULES

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KDCA CONSTITUTION & RULES

CHAPTER I

NAME, EMBLEM AND REGISTERED ADDRESS

ARTICLE 1: NAME

The Association shall be known as “*KOISAAN KOUBASANAN KADAZANDUSUN SABAH* or in English *KADAZANDUSUN CULTURAL ASSOCIATION SABAH* or in *Bahasa Malaysia PERSATUAN KEBUDAYAAN KADAZANDUSUN SABAH*, (Herein after referred to as “*THE KOISAAN*”

ARTICLE 2: EMBLEM, FLAG and INSIGNIA

- (1) The *Koisaan* logo shall be in the shape of a blue circle outlined both on inside and outside by black linings. Against the gold background contained in the blue circle are the arrangement of the “*SIRUNG*” (traditional head wear of the *Kadazandusun*), the *Bohungon* (traditional basket of the *Kadazandusun*), the Gongs and *Sompotons* (traditional musical instrument of the *Kadazandusun*), the Spear and Blowpipe (traditional weaponry of the *Kadazandusun*) and the golden paddy grains above the yellow-green scroll with the inscribed motto of THE *KOISAAN* “*KOSOMPUUVAN DOID KOUBASANAN*” meaning “*UNITY THROUGH CULTURE*”. On both sides of the motto is *Murut* artistry. The balanced arrangement of the above *Kadazandusun* artifact is intended to reflect a balanced cultural presentation, promotion, and growth and development efforts of THE *KOISAAN*.
- (2) THE *KOISAAN* shall have a flag composed of the *EMBLEM* against plain Gold background in a form of rectangle.
- (3) The Central Committee may design an insignia of any material, color and / or symbolism but such insignia shall be a derivative of THE *KOISAAN*’s emblem subject to the approval of the Registrar of Societies.
- (4) The Central Committee may make rules for the use of or any other matter connected with the emblem, flag or insignia of THE *KOISAAN*.

ARTICLE 3: REGISTERED ADDRESS AND PLACE OF MEETING

- (1) The registered address of THE *KOISAAN* shall be at *HONGKOD KOISAAN, KILOMETER 8, JALAN PENAMPANG, W.D.T. No. 39, 89509 PENAMPANG, SABAH*.
- (2) The place of meeting shall be at *HONGKOD KOISAAN, KILOMETER 8, JALAN PENAMPANG, SABAH* or at such other place or places as may from time to time be decided on by the Central Committee.
- (3) The Registered address of THE *KOISAAN* shall not be changed without the prior approval of the Registrar of Societies.

CHAPTER II

OBJECTIVES AND STATUS

ARTICLE 4: OBJECTIVES

- (1) The objects of THE *KOISAAN* shall be:-
 - (a) To promote friendship and understanding;
 - (b) To foster love for literature, crafts, arts and music among the *Kadazandusun* community;
 - (c) To assist in the standardization and consolidation of the *Kadazandusun* dialects;
 - (d) To safeguard and to promote the culture of the *Kadazandusun* people through cultural programs within Malaysia;
 - (e) To encourage members to take an increasing measure of responsibility in the civic affairs of the community as a whole;
 - (f) To encourage members to be enterprising and self reliant;
 - (g) To have and do such things as may be necessary for the attainment of the above objectives.

- (2) (a) THE *KOISAAN* may acquire property or dispose off any portion of it, and / or invest any surplus of its fund in any Company or venture, approved by the Central Committee in order to attain any one of its objectives;
- (b) All moneys and profits accruing to THE *KOISAAN* participation in any business shall be applied solely towards the furtherance, promotion and execution of the objects of THE *KOISAAN* and no portion thereof shall be paid by way of dividend, bonus or profit to any member of THE *KOISAAN* provided that nothing herein expressed or contained shall prevent the payment in good faith of remuneration of expenses or both to any officer or servant of THE *KOISAAN*, or to any member of THE *KOISAAN*, or other person or persons for services actually rendered by him or them to THE *KOISAAN*.

ARTICLE 5: STATUS

THE *KOISAAN* shall be a friendly, non-political Association.

CHAPTER III
MEMBERSHIP

ARTICLE 6: DEFINITION OF *KADAZANDUSUN*

The name “*KADAZANDUSUN*” is the generic and overall ethnic label to encompass and cover the following cultural, tribal, linguistic, dialectical and speech communities:-

(1) <i>BONGGI</i>	(11) <i>LINGKABAU</i>	(21) <i>NGABAI</i>	(31) <i>TATANA</i>
(2) <i>BUNDU</i>	(12) <i>LIWAAN</i>	(22) <i>PAITAN</i>	(32) <i>TANGARA</i>
(3) <i>DUMPAS</i>	(13) <i>LOBU</i>	(23) <i>PINGAS</i>	(33) <i>TIDONG</i>
(4) <i>GANA</i>	(14) <i>LOTUD</i>	(24) <i>RUMANAU</i>	(34) <i>TINDAL</i>
(5) <i>GARO</i>	(15) <i>LUNDAYO</i>	(25) <i>RUNGUS</i>	(35) <i>TOBILUNG</i>
(6) <i>IDAAN</i>	(16) <i>MAKIANG</i>	(26) <i>SINOBU</i>	(36) <i>TOLINTING</i>
(7) <i>KADAYAN</i>	(17) <i>MALAPI</i>	(27) <i>SINORUPU</i>	(37) <i>TOMBONUO</i>
(8) <i>KIMARAGANG</i>	(18) <i>MANGKAAK</i>	(28) <i>SONSOGON</i>	(38) <i>TUHAWON</i>
(9) <i>KOLOBUAN</i>	(19) <i>MINOKOK</i>	(29) <i>SUKANG</i>	(39) <i>TUTUNG</i>
(10) <i>KUIJAU</i>	(20) <i>MURUT</i>	(30) <i>SUNGAI</i>	(40) <i>BISAYA</i>

....and of a person whose mother tongue is any of the above dialect and who habitually practices and expresses the traditions, custom and other cultural manifestations of the same.

ARTICLE 7: TYPES OF MEMBERSHIP

- (1) There shall be six types of membership, namely;
- (a) **ORDINARY**
Persons who have *Kadazandusun* fore bearers and who are 16 years or above shall be eligible to become ordinary members. Those below 18 shall be admitted as members with the prior written consent from their parents / guardians.
- (b) **ASSOCIATE**
Any person other than a *Kadazandusun* who is above 16 years of age and who is married to a *Kadazandusun* and subscribes to the aims and objects of THE *KOISAAN*, shall be eligible to apply as an Associate Member, except that such a member is not entitled to vote or to hold office. Those below 18 shall be admitted as members with prior written consent from their parents / guardians.
- (c) **GROUP**
Any registered non-political Association having *Kadazandusun* membership of not less than 30 at any one time whose members subscribe to the objects of THE *KOISAAN* shall be eligible to apply for membership as a Group member. The Central Committee shall have power to decide on the question of eligibility for group membership.
- (d) **HONORARY**
Honorary membership shall be conferred with the approval of the Central Committee on person or persons who have rendered valuable services to THE *KOISAAN*. Such Honorary members shall enjoy the privileges of full membership except that they shall not be entitled to vote or to hold office.

- (e) **LIFE**
Life member is any ordinary member who subscribes a sum of RM300.00 or any such sum as may be decided upon by the Central Committee from time to time. However, any changes to the amount shall be with the approval of the Registrar of Societies. This amount may be payable within three financial years with effect from the date on which he subscribes to be a life member.
- (f) **UNATTACHED**
Unattached member is any member who is directly registered with THE *KOISAAN*'s Headquarters and who is not a member of any other Branch or is any existing member attached with a branch but choose to be attached to THE *KOISAAN* Headquarters due to geographical or physical impracticality or dissolution of his former branch (as per Article 26 (5)), or any other reason whatsoever provided this intention is communicated in writing to the Secretary General and his membership had not ceases by operation of Article 9.
- (g) Where a member of a branch is also an attached member of THE *KOISAAN* Headquarters, such member shall be given an option to choose and be registered in either one.

ARTICLE 8: APPLICATION FOR MEMBERSHIP

- (1) Every application for ordinary and associate membership of THE *KOISAAN* shall be proposed and seconded by two existing members and shall be forwarded to the Secretary of the Local Branch, who shall, at the first convenient opportunity submit it to the Branch Committee for approval. The Branch Committee may at its discretion reject any application without assigning any reason thereof. Application for membership in centers where no branches have been established shall be dealt with in the same way by the Secretary General and the Central Committee.
- (2) Every application for Group Membership shall be signed by the respective Secretary General of the Group and such application should be forwarded to the Secretary General of THE *KOISAAN* together with a list of names and addresses of all the members or the Group.
- (3) Every application whose application has been approved as aforesaid shall, upon payment of the prescribe entrance fee be admitted as member of THE *KOISAAN*. He shall then be issued with a membership card as soon as practicable.

ARTICLE 9: CESSATION OF MEMBERSHIP

Any members or any types of membership shall cease to be one if any of the following events occur: -

- (1) Upon death of a member or upon deregistration (for whatsoever reason) off a Group's Association; or
- (2) Upon receipt of a written voluntary registration from membership; or
- (3) When he fails or neglect to pay subscription fee for three (3) year and hi arrears remain unpaid after having been served with notice by the Secretary General or any other person on the Secretary General's behalf, to pay within a prescribed period; or
- (4) If he fails to observe or comply with the present rules, regulation, by-laws or resolution properly passed by THE *KOISAAN*; or
- (5) If he is expelled by THE *KOISAAN* for conduct which in the opinion of THE *KOISAAN* is injurious to the character of THE *KOISAAN* or the interest of the members. Provided always that before a member is expelled his conduct shall be inquired into by the Central Committee or a Committee appointed by the Central Committee and he shall be given full opportunity to defend himself and to justify his conduct.
- (6) A member who has ceased to be a member whether by resignation, expulsion or for any other reasons whatsoever shall not be entitled to any refund of his subscription.

ARTICLE 10: ENTRANCE AND SUBSCRIPTION FEES

- (1) The entrance fees for an ordinary or Associate or Unattached members shall be RM10.00 payable on application for membership; (*Approved by ROS on 27 April 2001, ROS reference: SB.540/64(11)*);
- (2) The entrance fee for group membership shall be RM50.00 irrespective of number of members the Group has. (Thirty (30) or more) payable on application for membership;
- (3) The subscription fee for an Ordinary or Associate or Unattached member shall be RM1.00 per annum payable yearly in advance to the Branch Treasurers / Treasurer General. (*Approved by ROS on 27 April 2001, ROS reference: SB.540/64(11)*);

- (4) Honorary members shall not be liable to pay any entrance or subscription fee.

CHAPTER IV ORGANIZATION AND STRUCTURE

ARTICLE 11: COMPOSITION OF THE CENTRAL COMMITTEE

- (1) The Central Committee consisting of the following shall manage and administer the business and affairs of the KOISAAN. (Approved by ROS on 27 April 2001, ROS reference: SB.540/64(11);
- | | | |
|-----|--------------------------------|--|
| (a) | President | (elected) |
| (b) | 2 Deputy Presidents | (elected) [Amended on 27 April 2001, ROS: SB.540/64(11)] |
| (c) | 3 Deputy Presidents | (nominated) [Amended on 27 April 2001, ROS: SB.540/64(11)] |
| (d) | 6 Vice Presidents | (elected) |
| (e) | 4 Vice Presidents | (nominated) |
| (f) | Secretary General | (appointed) |
| (g) | Assistant Secretary General | (appointed) |
| (h) | Treasurer General | (appointed) |
| (i) | Assistant Treasurer General | (appointed) |
| (j) | Organizing Secretary | (appointed) |
| (k) | Assistant Organizing Secretary | (appointed) |
| (l) | 11 committee members | (elected) |
| (m) | 10 committee members | (appointed) |

ARTICLE 12: ELECTION OF CENTRAL COMMITTEE

- (1) (a) The Central Committee shall be elected by secret ballot at the Triennial Delegates' Conference. Members of the Committee may serve for a term of 3 years but may be reelected for any number of terms in the same office or in different capacity within the Central Committee.
- (b) Nominated members of the Central Committee shall be nominated by the President after consultation with the Central Committee.
- (c) The nomination of candidates for the election of the Central Committee shall be undertaken by the Branch and Unattached members during their Triennial Branch meeting/ meeting of the Unattached Members pursuant to Article 19 (1) and (2).

ARTICLE 13: DUTIES AND POWERS OF THE CENTRAL COMMITTEE

- (1) (a) For attainment of the KOISAAN Objectives the Central Committee is empowered to:-
- (i) Identify, plan, organize, implement and coordinate socio-cultural, economic, educational, health and welfare and women in development programs for the *Kadazandusun* community
 - (ii) Identify, plan, organizes, implement, invite researchers and conduct research activities pertaining to the culture, history, environment social and economic issues and current affairs affecting the *Kadazandusun* people.
 - (iii) Document and disseminate research findings to research community, policy makers, the *Kadazandusun* community, the general public and the research community.
 - (iv) Manage a *Kadazandusun* Research Centre or whatever name and form the Central Committee may choose.
 - (v) Organize seminars, forums and discussions on issues pertaining to the *Kadazandusun* people.
 - (vi) Raise funds, donations and grants for its activities with the prior approval from the relevant authorities.
 - (vii) Publish books, monographs, discussion papers and other forms of research output with the prior approval from the relevant authorities.
 - (viii) Establish and maintain links with other relevant Associations with similar objectives.
 - (ix) And in any case coordinate and supervise all activities of THE KOISAAN in *Sabah* and the Federal Territory of *Labuan*.

- (b) For better administration and management of THE *KOISAAN* affairs, the Central Committee shall have power to structure and re-structure the functional organizational or reporting chart of THE *KOISAAN* from time to time and shall have authority to appoint from amongst its member or co-opt members to be appointed for designated position within the chart from time to time and may nominate servants, agents etc. (by whatever name called) appoint sub-committees or coordinating committee or delegate any of its duties to a member or a body of members of THE *KOISAAN* and approve Terms of Reference for each of the bodies, sub-committees or Coordinating Committee it has so appointed.
- (c) The Central Committee shall have the power to co-opt members into itself for any purpose.
- (d) The Central Committee shall have power to take disciplinary action on any member or delegate its powers to a Committee to hear and take disciplinary action against those who fail to observe or comply with these present Rules, By-Laws or Resolutions properly passed by THE *KOISAAN*. They shall also have the authority to enquire into the allegation(s) of misconduct of any member.
- (e) The Central Committee shall have power to convene an Extraordinary Committee Meeting whenever it thinks fit.
- (f) The Central Committee shall have power to bestow recognition to individual members of THE *KOISAAN* for their exemplary service rendered to THE *KOISAAN* in such manner as it shall think fit.
- (g) The Central Committee shall have to make rule, regulation, by-laws and / or standing instructions.
- (h) The Central Committee shall have power to decide the method of election of unattached members' delegates.
- (i) The Central Committee shall have power to appoint Council of Elders.
- (j) The Central Committee shall be vested with the power to appoint Trustees.
- (k) The Central Committee may engage and remunerate any person or company or firm for services rendered or to be rendered.
- (l) The Central Committee shall be empowered to borrow for the purposes of THE *KOISAAN* such amount of money either at one time or from time to time and in such form and manner and upon such security as shall be required and thereupon the Trustees shall at the direction of the Central Committee make all such dispositions of THE *KOISAAN*'s property or any part thereof and enter into such deeds and agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest thereon.
- (m) The Central Committee shall have power to authorize the incorporation, acquisition or purchase of companies within the meaning of the *COMPANIES ACT 1965* and to appoint members, servants or agents to manage such companies provided always that any profit derived there from shall be subject to the provision of *ARTICLE 4 (2)(b)*.

ARTICLE 14: DUTIES AND POWERS OF THE OFFICE OF THE CENTRAL COMMITTEE

- (1) **THE PRESIDENT**
The President shall during his term of office preside at all Delegates Conference and the Central Committee Meeting. He shall have the right of casting votes and shall sign minutes of any meeting at the time they are approved. He may sign *cheques* as may be required in conjunction with the Treasurer- General or Deputy President (elected) or Secretary-General.
- (2) **DEPUTY PRESIDENT**
The Deputy Presidents shall assist the President. In the absence of the President, the Deputy President (elected) shall act as President and in the absence of the Deputy President (elected) one of the nominated Deputy Presidents.
- (3) **VICE PRESIDENT**
Vice Presidents shall assist the Deputy Presidents
- (4) **SECRETARY GENERAL**
 - (a) The secretary General shall be responsible for conducting all correspondence, convening meetings under the directions of the President or Deputy President (elect),

taking minutes of all meetings, taking charge of all records and registers of THE *KOISAAN* and performing other duties pertaining to his office including signing *cheques* as may be required in conjunction with the President or Treasurer-General or Deputy President (elected).

(b) He shall be responsible for safekeeping and the maintenance of the membership register book.

(5) ASSISTANT SECRETARY GENERAL

The Assistant Secretary General shall assist the Secretary General in his work and duties.

(6) TREASURER GENERAL

His duties shall be: -

(a) To ensure that all income and expenditure of THE *KOISAAN* are accounted for and audited by the Auditors of the Association.

(b) To continuously review the financial position of THE *KOISAAN* including its Branches, with a view to improving it.

(c) To sign all *cheques* in conjunction with the President, Deputy President, Deputy President (elected) or Secretary General.

(d) To maintain records of any financial transaction of THE *KOISAAN* in line with acceptable accounting practice.

(e) To prepare final accounts for consideration of the members in Triennial Delegates Conference.

(f) To prepare financial returns to Government or Semi-Government Bodies requiring them.

(g) To maintain a cash float of RM1, 000.00 for purpose of meeting petty expenses.

(h) To scrutinize and recommend for approval to the Central Committee applications of cash float for meeting incidental expenses relating to any activities of THE *KOISAAN*, and

(i) To maintain an up-to-date record of members' subscription list.

(7) THE ASSISTANT TREASURER GENERAL

Assistant Treasurer-General shall assist the Treasurer-General in his duties.

(8) ORGANIZING SECRETARY

His duties shall be: -

(a) To organize and co-ordinate any social activities of THE *KOISAAN*

(b) To act as Public Relations Officer of THE *KOISAAN*

(c) To be responsible for the recruitment of new members

(9) THE ASSISTANT ORGANISING SECRETARY

His duty shall be to assist the Organizing Secretary.

ARTICLE 15: CENTRAL COMMITTEE MEETINGS

(1) The Central Committee shall meet as often as business may require provided that they shall meet at least once quarterly. The quorum for such a meeting shall be one half (1/2) of the number of Committee Members.

(2) Fourteen (14) days notice shall be given to each Committee Member for any such meetings.

ARTICLE 16: VACATION OF OFFICE

(1) Any member of the Central Committee is deemed to have vacated his office if;

(a) He is adjudicated bankrupt; or

(b) He is found to be of unsound mind by a court of competent jurisdiction; or

(c) By notice in writing to THE *KOISAAN*, that he resigns his office; or

(d) He is absent for three (3) consecutive meeting of the Central Committee without special leave of absence from the President, subject to the committee passing a resolution that he has by reason of such absence vacated his office;

(e) His subscription fee goes in arrears for more than three years;

(f) He is convicted of a crime punishable with imprisonment of not less than two years; and

(g) He is absent from *Sabah* for more than a year subject to the Committee passing a resolution that he has by reason of such absence vacated his office.

CHAPTER V

DELEGATES CONFERENCE

ARTICLE 17: SUPREME AUTHORITY

The supreme Authority of THE KOISAAN is vested in the Delegates Conference, consisting of Branch Delegates, Unattached Members Delegate, Group Delegates and members of the Central Committee

ARTICLE 18: THE INTERPRETATION OF DELEGATES

For the purpose of this constitution an “Unattached Members Delegate” means a delegate elected by the Unattached Members; and a “Group Delegate” means a delegate from the respective groups and a “Branch Delegate” is a delegate elected by members of the Branch to the Triennial Delegates’ Conference.

ARTICLE 19: COMPOSITION OF DELEGATES

- (1) The Group and Branch delegates shall be elected triennially by their respective Groups or Branches and shall be eligible for re-election. Each Branch shall be entitled to elect two (2) delegates to attend the Delegates’ Conference. A group with a membership of less than 100 shall be entitled to elect and send two (2) delegates; for those with more than 1,000 members 4 delegates and those with more than 10,000 members, 6 delegates.
- (2) The Unattached Members’ delegates shall be elected triennially by the Unattached Members subject to Article 13 (1) (h) and Article 20(5) and shall be eligible for re-election. The number of Unattached Members’ delegates to be sent to the Triennial Delegates Conference shall not exceed 20 in number.
- (3) A quorum shall be considered as having been formed if the delegate present, irrespective of their total number represent more than one third (1/3) of the total number of branches or more than half of those delegates as defined in paragraph 1, 2 and 4 of this article.
- (4) If half an hour after the time appointed for a delegates conference a quorum is not present, the conference shall be postponed to a date to be decided by the Central Committee; and if a quorum is still not present half an hour after the time appointed for the postponed conference, the delegates present shall have the power to proceed with the business of the day.
- (5) Any member of THE KOISAAN may be present during the proceeding of a delegates’ conference, but may not speak or vote.

ARTICLE 20: THE TRIENNIAL DELEGATES CONFERENCE

- (1) The Triennial Delegates Conference of THE KOISAAN shall be held as soon as possible after the close of every third (3rd) calendar year on a date and at a time and place to be decided by the Central Committee.
- (2) The business of the Triennial Delegates Conference shall be: -
 - (a) To receive the Central Committee’s report on the working of THE KOISAAN during the last three years.
 - (b) To receive Treasurer’s report and the audited accounts of THE KOISAAN for the past three years.
 - (c) To elect a Central Committee and to appoint auditors for the ensuing three years.
 - (d) To deal with such other matters as may be put before it.
- (3) A preliminary notice of the Triennial Delegates Conference stating the date, the time and place of meeting and calling for motions for discussion at the conference, and name of Branch Delegates shall be sent by the Secretary-General to all Branch Secretaries not later than 90 days before the date fixed for the Conference and this notice shall also be prominently displayed at the premises of THE KOISAAN. Every Branch Secretary shall convene a Branch General Meeting within thirty (30) days after the receipt of the preliminary notice.
- (4) Name of Delegates and motions for discussion at the conference shall be sent by the Branch Secretaries to the Secretary-General not later than thirty (30) days after the receipt of the preliminary notice in the case of unattached members to the Secretary General himself.
- (5) The Secretary General shall, if practicable, convene a meeting of the Unattached Members within thirty (30) days after the issuance by him of the Preliminary Notice of the Triennial Delegates Conference for the purpose of electing the Unattached Members delegates and for resolving upon motion to be submitted for discussion at the conference. If the distance involved would

- make such a meeting impracticable, the method of election shall be decided by the Central Committee. The quorum for any unattached members meeting shall be fifty (50) in number.
- (6) The Secretary General shall send to the Branch Secretaries at least thirty (30) days before the conference an agenda including copies of minutes and reports, and motions together with the audited accounts of THE *KOISAAN* for the previous years. Copies of these documents will be furnished to each of the Branch Delegates and to the members delegates and will be made available at the premises of THE *KOISAAN* and at Branch Offices for the perusal of members.
- (7) The triennial Delegates Conference shall be vested with the power to confer the title of *Huguan Siou* to whom it shall think fit to succeed the title whenever the position falls vacant.

ARTICLE 21: EXTRAORDINARY DELEGATES CONFERENCE

- (1) An extraordinary delegates conference of THE *KOISAAN* shall be convened:-
- (a) Whenever the Central Committee deems it desirable; or
- (b) At the joint request in writing by at least one fifth (1/5) of the total number of registered branches, or by not less than twenty (20) Unattached Members, stating the objects and reasons for such conference.
- (2) An extraordinary delegates conference requisitioned by Branches or unattached members shall be convened for a date within thirty (30) days of the receipt of such requisition.
- (3) Notice and agenda for an extraordinary delegates conference shall be forwarded by the Secretary General to all Branch Secretaries and members' delegates at least fifteen (15) days before the date fixed for the conference or as soon as practicable.
- (4) Paragraphs (3) and (4) of Article 19 regarding the quorum and postponement of the triennial delegates' conference shall apply also to an extraordinary delegates conference but with the proviso that if no quorum is present after half an hour from the time appointed for a postponed extraordinary delegates' conference requisitioned by branches, the conference shall be cancelled and no extraordinary delegates conference shall be requisitioned for the same purpose until after the lapse of at least six (6) months from the date thereof.
- (5) The Secretary General shall forward to all Branch Secretaries and members' delegates a copy of the draft minutes of each Triennial and extraordinary Delegates Conference as soon as possible after its conclusion.

CHAPTER VI FINANCE AND PROPERTY

ARTICLE 22: FINANCIAL PROVISIONS

- (1) Subject to the following provision in this Article, the funds of THE *KOISAAN* may be expended for any purpose necessary for the carrying out of its objects, including the expenses of its administration, the payment of salaries, allowances and expenses to its office bearers and paid staff, and the audit of its accounts, but shall on no account be used to pay for fines of any member who may be convicted in any court of law.
- (2) No expenditure exceeding *Ringgit* Malaysia 500 for any single transaction shall be incurred without the prior sanction of the Treasurer General and any expenditure up to the limit of *Ringgit* Malaysia 5, 000 for any single transaction shall not be incurred without the prior sanction of the Treasurer General jointly with any one of the two authorized signatories of the *cheques* of THE *KOISAAN* provided always that no expenditure exceeding *Ringgit* Malaysia 5, 000 shall be incurred without the prior sanction of the Central Committee.
- (3) 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 Auditor appointed under Article 24. The audited accounts shall be submitted to the approval of the next triennial delegates conference, and copies shall be made available at the premises of THE *KOISAAN* and at each Branch Office for the perusal of members of THE *KOISAAN*.
- (4) The date of the commencement of financial year of THE *KOISAAN* shall be from 1st January and shall end on 31st December annually.
- (5) THE *KOISAAN* may own properties movable or immovable and may sell, manage, let or howsoever deal with the same as THE *KOISAAN* deems fit and borrow or raise money (including general banking facilities) in such manner as THE *KOISAAN* shall deem fit and may secure the repayment of any borrowing, (including general Banking facilities) by mortgage charge or lien upon all or any of its movable or immovable properties.

- (6) By virtue of this section, previous borrowing of THE *KOISAAN*, if any, from any financial institution or commercial bank is valid provided a certificate duly signed by the President and the Treasurer General be produced to the financial institution or commercial bank stating that the borrowing was made in good faith for the attainment of the aims and the objects of THE *KOISAAN*.

ARTICLE 23: TRUSTEES

- (1) Four Trustees, who must have over 21 years of age, may be appointed by the Central Committee and may hold office at the pleasure of the Central Committee. They may have vested in them all movable and immovable properties whatsoever belonging to THE *KOISAAN* and shall deal with them in such manner as the Central Committee may direct. The Secretary General and Treasurer General shall not be appointed as trustees.
- (2) The Trustee may be removed from office by the Central Committee on the grounds that owing to ill health, unsoundness of mind, absence from the country or any other reasons, he is unable to perform his duties or unable to do so satisfactorily. In the event of death, resignation or removal of a Trustee the Central Committee shall have power to replace him.

ARTICLE 24: AUDITORS

- (1) One or more persons, who are not office bearers of THE *KOISAAN*, shall be appointed by the Triennial Delegates Conference as Auditors. They shall hold office for three years and shall be eligible for reappointment.
- (2) The Auditors shall be required to audit the account of THE *KOISAAN* for three years, and to prepare a report or certificate for the triennial delegates' conference. They may also be required by the President to audit the accounts of THE *KOISAAN* or any of its branches for any period within their tenure of office at any date, and to make a report to the Central Committee.
- (3) A professional Audit Firm may also be appointed by the Central Committee for such tasks deemed necessary and the Central Committee shall be permitted to pay reasonable remuneration to such Audit firm for work done.

CHAPTER VII BRANCHES

ARTICLE 25: ESTABLISHMENT OF BRANCHES

- (1) The Central Committee may by a majority vote taken at a meeting approve the formation of a Branch in any area wherein there are at least thirty (30) members.
- (2) The Central Committee may appoint coordinating committee in each district and delegates all or any of its powers and functions in relation to the establishment and administration of Branches within district pursuant to Article 13 (1) (b).

ARTICLE 26: DISSOLUTION OF BRANCHES

- (1) The Central Committee may dissolve a Branch:-
 - (a) If for a consecutive period of six months the number of Branch members is below 20;
 - (b) If the Branch refuses to abide by the rules of THE *KOISAAN* or the decisions of the delegates conference or the Central Committee or if it is in the opinion of the Central Committee guilty of conduct that is detrimental to THE *KOISAAN*.
- (2) A decision to dissolve Branch shall be by a majority vote at a meeting of the Central Committee. Provided that before a decision is taken to dissolve Branch on the ground stated in paragraph (1) (b) above, the Branch concerned shall be given 30 days notice and an opportunity to answer the allegations.
- (3) The order of dissolution shall be signed by the Secretary General. On receipt of such order the Branch shall cease to function except for the purpose of winding-up. Any Branch aggrieved by an order of dissolution may, by notice in writing to the Secretary General within 32 days of its receipt, lodge an appeal to the Triennial Delegates Conference.
- (4) Notwithstanding such appeal, the order of dissolution shall be operative until set aside, but in such circumstances the Central Committee may appoint from among its members a care-taker committee to deal with the affairs of the Branch pending the hearing of the appeal.

- (5) In the event of a Branch being dissolved for reason stated in section (1) (a) of this Article, the Central Committee shall transfer the remaining members to the nearest Branch, and in the event of a branch being dissolved for reason stated in section (1) (b) of this Article, the members who were responsible for the non-adherence or misconduct shall be expelled. All other members shall then be transferred to the nearest Branch in the event that by the expulsion the membership falls below 20.
- (6) Upon an order of dissolution, it shall be the responsibility of the Chairman, the Secretary and the Treasurer of such Branch to deliver to the Secretary General all books, records, money and other properties in the possession of the Branch, together with a statement of accounts of the Branch from the date of the last submission of accounts to the date of the order of dissolution.

ARTICLE 27: BRANCH GENERAL MEETING

- (1) Every member of a Branch of THE KOISAAN shall have the right to attend, speak and vote at any General Meeting of his Branch.
- (2) The Branch Triennial General Meeting shall be held not later than thirty (30) days after the receipt of the preliminary notice of the Triennial Delegates Conference, so that notice of the time, date and place shall be given and copies of the agenda and statement of account shall be sent to members not less than fourteen (14) days before the meeting.
- (3) The business of the Branch Triennial General Meeting shall be:-
 - (a) To receive the Branch Treasurer's report and the Audited accounts of the Branch for the past three years.
 - (b) To elect its delegates to the triennial delegates conference.
 - (c) To elect a branch Committee
 - (d) To appoint Branch auditor(s) for the ensuing three years.
- (4) To deal with any other matters that may be put before it.

ARTICLE 28: BRANCH EXTRAORDINARY GENERAL MEETING

- (1) A Branch Extraordinary General Meeting shall be convened:-
 - (a) On instruction of the Central Committee; or
 - (b) Whenever the Branch Committee deems it desirable; or
 - (c) At the request in writing of not less than twenty (20) members of the Branch, stating the objects and reasons for such meeting.
- (2) A branch Extraordinary General Meeting requisitioned by members shall take place not later than fifteen (15) days from the receipt of such requisition.
- (3) At least one half of the members of the Branch must be present at any Extraordinary General Meeting for its proceedings to be valid.

ARTICLE 29: BRANCH COMMITTEE

- (1) A branch Committee consisting of the following, who shall be termed the office bearers of the Branch shall be elected at each Branch Triennial General Meeting;
 - (a) A Branch Chairman
 - (b) A Branch Vice Chairman
 - (c) A Branch Secretary
 - (d) A Branch Assistant Secretary
 - (e) A Branch Treasurer
 - (f) 5 Ordinary Committee Members
- (2) Name for the above offices shall be proposed and seconded and election will be by a simple majority vote of the members at the Branch Triennial General Meeting. All office bearers shall be eligible for re-election each year. *(Approved by ROS on 27 April 2001, ROS reference: SB.540/64(11)).*
- (3) The duties of the Branch Committee shall be to manage the affairs of the Branch in accordance with the rules of THE KOISAAN and the instruction of the Central Committee. It shall meet at least once every quarter year, and one-half of its number shall form a quorum. The Branch Secretary shall forward a copy of the minutes of each meeting to the Secretary General not later than fourteen (14) days after the meeting.

ARTICLE 30: DUTIES OF BRANCH OFFICE BEARERS

- (1) The Chairman shall during his office preside at all general and committee meetings and shall be responsible for their proper conduct. He shall have a casting vote and shall sign the minutes of each meeting at the time they are approved. He shall, in conjunction with the Branch Secretary and Branch Treasurer, sign all *cheques* on behalf of the Branch.
- (2) The Vice Chairman shall deputize for the Chairman during the latter's absence.
- (3)
 - (a) The Secretary shall conduct the business of the Branch in accordance with the rules of THE *KOISAAN* 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. In conjunction with the Branch Chairman and Branch Treasurer, he shall sign all *cheques* on behalf of the Branch.
 - (c) To maintain the membership register containing the names and particulars of all the members of the Branch.
- (4) The Assistant Secretary shall assist the Secretary in all the administrative works of the Branch and shall act for him in his absence.
- (5) The Branch Treasurer shall be responsible for the finance of the Branch. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall, in conjunction with the Branch Chairman and the Branch Secretary sign all *cheques* on behalf of the Branch.
- (6) The Branch Internal Auditor(s) shall scrutinize the audited accounts of the Branch and when in order must affix his/her signature on the final audited accounts.

ARTICLE 31: BRANCH FUNDS AND ACCOUNTS

- (1) All funds accumulated at the Head Office of the Branches of THE *KOISAAN* shall be the common asset of THE *KOISAAN*.
- (2) The Triennial Delegates Conference shall decide from time to time the percentage of subscription and entrance fees to be held by Branches as branch funds and shall also decide what types of expenditure to be paid from Branch funds. Any other income obtained by the branches through their own effort shall be retained by the branch concerned.
- (3) Every Branch Treasurer shall forward to THE *KOISAAN* Treasurer General before the 15th of each month the subscription received by the Branch less the percentage to be retained s branch funds.
- (4) The Branch Treasurer shall forward to THE *KOISAAN* Treasurer General before the 15th of each month a statement of the income and expenditure of the Branch for the preceding month.
- (5) All Branch funds shall be deposited in the name of the branch in a bank to be approved by the Central Committee and the account shall be operated jointly by the Branch Chairman, the Branch Secretary and the Branch Treasurer. The Branch Treasurer may hold petty cash not exceeding *Ringgit* Malaysia 200 (two hundred) at any time. No expenditure exceeding *Ringgit* Malaysia 50 (fifty) at any time shall be incurred by a Branch Treasurer without the prior sanction of the Branch Committee.

CHAPTER VIII GENERAL PROVISIONS

ARTICLE 32: GENERAL PROVISIONS RELATING TO BRANCHES

- (1) Where no special provision has been made in these Rules for any matters relating to the management of the affairs of the branches of THE *KOISAAN*, the relevant rule relating to the management of the headquarters organization shall be followed in so far as it is applicable.
- (2) The Central Committee may give instruction to the Branch Committee of any branch regarding the management of its affairs.

ARTICLE 33: DISSOLUTION

- (1) THE *KOISAAN* may voluntarily dissolve by a resolution of not less than three-fifths of the total membership.
- (2) In the event of THE *KOISAAN* 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 s may be decided upon by a delegates' conference.

ARTICLE 34: PROHIBITIONS

- (1) **THE KOISAAN shall not have any affiliation or connection with any society established outside Malaysia.**
- (2) **Admittance of persons of known bad characters re strictly prohibited into THE KOISAAN premises.**

ARTICLE 35: AMENDMENTS

Alterations or amendments or addition to, or deletions from, this Constitution shall only be made at the Delegates Conference, on a resolution passed by at least three-fourth (3/4) of the delegates present and voting at such meeting, and they shall not come into force without the prior sanction of the Registrar of Societies.

ARTICLE 36: VOTING

At all conference or meetings only delegates or members as the case may be, shall be entitled to one vote provided that in case of equality of votes the Chairman shall have the casting vote.

ARTICLE 37: INTERPRETATION

In the event of any dispute arising out of any point which is not expressly provided for in this Constitution, the Central Committee shall have power to make a ruling and such ruling shall be final.

In this Constitution and Rules, unless inconsistent with the text, words importing the masculine gender shall include the feminine gender and words in the singular shall also include the plurals.

*******END OF DOCUMENT*******

Source: KDCA Secretariat, Hongkod Koisaan, WDT 39, 89509 Penampang Sabah Malaysia