

**CONSTITUTION  
OF  
PERTUBUHAN PENILAIAN IMPAK SOSIAL MALAYSIA**

**(MALAYSIAN ASSOCIATION OF SOCIAL IMPACT ASSESSMENT)**

**1. NAME**

The name of the Pertubuhan shall be Pertubuhan Penilaian Impak Sosial Malaysia (Malaysian Association of Social Impact Assessment) hereinafter referred to as ‘Pertubuhan’.

**2. REGISTERED ADDRESS**

The registered office and place of business of the Pertubuhan shall be No. 14, Jalan USJ 2/4K, Subang Jaya, 47600 Selangor Darul Ehsan, Malaysia or such other place as may be determined by the Executive Committee of the Pertubuhan with the prior approval of the Registrar of Societies.

**3. LOGO**



The triangle symbolises the trinity of relationships between the political, economic and social concerns of the community in the development process.

The ‘S’ emphasises social needs.

The broad green base in the logo depicts the importance of broad-based grassroot support in decision-making.

## **4. OBJECTS AND MEANS OF ACHIEVING OBJECTS**

4.1 The objects of the Pertubuhan shall be:

- i. To promote the practice of social impact assessment in the formulation and implementation of development and policy proposals at the national and international levels.
- ii. To promote participation in identifying social impacts of policies and projects and measures required in addressing them.
- iii. To promote the research and development of social impact assessment theory, methods and practices relevant to Malaysian society.
- iv. To promote and encourage a high standard of practice amongst members of the Pertubuhan and others using social impact assessment methods, in accordance with the Code of Ethics.
- v. To undertake or encourage initiatives, consistent with the other objects, powers and resources of the Pertubuhan, to promote or advance the protection of the social environment.
- vi. To create a resource network for social impact assessment.
- vii. To facilitate the improvement of the quality and standard of professionalism of practitioners.
- viii. To provide a platform/forum for interdisciplinary integration of social impact assessment practitioners.
- ix. To professionalise social impact assessment.

## **5. MEMBERSHIP**

5.1 Application for Membership

There are three categories of members:

- i. A Professional Member is a member accepted by the Committee and subject to stringent screening of his/her professional capabilities in carrying out SIA studies.
- ii. An Ordinary Member is an individual who has satisfied the requirements of membership as in Rule 5.1.1.

iii. A Student Member is one who has satisfied the requirements of membership as in Rule 5.1.1 and is a student at the time of joining membership. Such membership should not exceed 3 years.

5.1.1 Possess recognised qualifications and experience related to social impact assessment in the following disciplines:

- i. Social Sciences
- ii. Landuse and Natural Resource Planning and Humanities
- iii. Any other relevant course that is accepted by the Committee

5.1.2 Every applicant for membership shall be Malaysian citizens or residents above 18 years of age and membership shall be made on the prescribed form, proposed and seconded by two members who are in benefit on the date written on the said form and shall be submitted to the Secretary of the Pertubuhan who shall, at the first convenient opportunity, forward it to the Executive Committee for their approval. The Executive Committee may at its discretion reject any application without assigning any reason.

5.1.3 Every applicant whose application has been approved as aforesaid shall upon payment of the prescribed entrance fee and the first annual subscription, be admitted as a member of the Pertubuhan and shall be entitled to all the privileges of membership.

5.1.4 No University student or University college student shall be accepted as a member of the Pertubuhan without prior written consent of the Vice-Chancellor or such other official.

## **6. MEMBERSHIP FEES**

6.1 The annual membership fees will be as follows:

- i. Professional Member – RM 150.00 (RM One Hundred and Fifty)
- ii. Ordinary Member – RM 100.00 (RM One Hundred)
- iii. Student Member – RM 20.00 (RM Twenty)

6.2 The annual subscription shall be payable to the Treasurer at least 30 days before the end of the year.

6.3 Any member whose annual subscription is due for a period of two months shall be sent a reminder signed by the Secretary and shall be deemed not in benefit and shall be denied the privileges of membership until he settles his arrears.

6.4 The Executive Committee shall have the power to take action on any member whose annual subscription is not received for a period of three months, provided the Executive Committee is reassured that the member has received a reminder for the due payment.

- 6.5 The Executive Committee has the power to fix a re-entrance fee for any such person who has failed to settle the overdue membership fees.
- 6.6 Special subscription or levies for particular purposes may be raised from members by resolution at the Annual General Meeting. If any member fails to pay such subscription or levy within such a period as may be resolved, the matter shall be treated in the same way as arrears of annual membership.

## **7. RESIGNATION AND EXPULSION OF MEMBERS**

- 7.1 Any member may resign from the Pertubuhan upon giving two weeks notice in writing to the Secretary, and the Secretary shall thereupon delete that member's name after settling any outstanding dues.
- 7.2 The Executive Committee shall have the power to suspend from benefit, or expel from membership or prohibit from holding any office, any member who in its judgement is guilty of attempt to discredit the Pertubuhan or acts contrary to the Constitution of the Pertubuhan or any decision of the Executive Committee and one who makes or in any way associates himself with defamatory, or abusive attack on the Pertubuhan. The period of suspension shall extend to the date of the finding of the Executive Committee. Any member who has been suspended, expelled or debarred shall have the right of appeal.

## **8. ANNUAL GENERAL MEETING**

- 8.1 The operation of the Pertubuhan is subject to the approval of Annual General Meetings. A quorum for an Annual General Meeting shall be not less than half the members of the Pertubuhan present in person or twice the number of members of the Executive Committee, whichever is less.
- 8.2 If half an hour after the time appointed for the Meeting, a quorum is not present, the Meeting shall be postponed to a date (not exceeding 30 days) to be decided by the Central Working Committee. If a quorum is not present half an hour after the time appointed for the postponed Meeting, the members present shall have the power to alter the Rules of the Pertubuhan or to make decisions affecting the whole membership.
- 8.3 The Annual General Meeting should be held before the end of the financial year but not later than 31<sup>st</sup> March of the year at a place and time fixed by the Central Working Committee. The business of each meeting shall include:

- i. Receipt and consideration of a report of the actions of the Executive Committee for the period since the last meeting.
- ii. Receipt of the Treasurer's Report and audited accounts of Pertubuhan for the last year
- iii. To elect the committee and appoint auditors for the ensuing years.
- iv. To deal with any other matters as may be put before it.

8.4 The Secretary shall deliver the notice of the Annual General Meeting with the set agenda, Minutes of the last Meeting and the Statement of Accounts of the previous year not later than fifteen (15) days before the Annual General Meeting. Copies of these documents will also be made available at the registered place of business of the Society for the perusal of members.

8.5 A Special General Meeting shall be held:

- i. If asked to do so by the Executive Committee; or
- ii. Upon the written request of not less than one-fifth of the voting members, the members stating the objects and reasons for such meeting.

8.6 The Special General Meeting requisitioned by the members shall be convened from the date within thirty (30) days of the receipt of the requisition.

8.7 In each case, the Secretary shall appoint the date of the meeting and shall deliver notice thereof to all members of the Pertubuhan at least fourteen (14) days before the date so fixed.

8.8 Sub-Rules 8.1 and 8.2 hereof regarding the quorum and the postponement of the Annual General Meeting shall apply also to an Special General Meeting but with the provision that if no quorum is present after half an hour from the time from the Special General Meeting requisitioned by the members, it shall be cancelled, and no Special General Meeting shall be requisitioned for the same purpose until after the lapse of at least six (6) months from the date thereof.

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

## **9. EXECUTIVE COMMITTEE**

9.1 The Executive Committee shall comprise of the following and shall be elected at the Annual General Meeting

- i. ONE (1) President
- ii ONE (1) Vice resident
- iii ONE (1) Secretary
- iv ONE (1) Assistant Secretary
- v ONE (1) Treasurer
- vi FOUR (4) Ordinary members

9.2 All members of the Executive Committee and every officer performing executive functions in the Pertubuhan shall be Malaysian citizens.

9.3 Names of office-bearers for elections at the Annual General Meeting shall be proposed and seconded and the election will be decided by a simple majority of the Annual General Meeting. All the office-bearers can re-appointed every year.

9.4 The function of the Executive Committee is to organise and supervise the day-to day activities of the Pertubuhan and to make decisions on matters affecting its running according to the general policy laid down at the Annual General Meeting. The Executive Committee shall not act contrary to the decisions made at the Annual General Meeting without prior consultation. The Executive Committee must at all times abide by the decisions made at the Annual General Meeting. It must present a report of its activities in the previous year at every Annual General Meeting.

9.5 The Executive Committee shall meet at least once in every three (3) months and fourteen (14) 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 a meeting of the Executive Committee to be held at any time. At least one half of the committee members must be present for its proceedings to be valid.

9.6 Where any urgent matter requiring the approval of the Executive Committee arises and it is not possible to convene the meeting, the General Secretary may obtain such approval by means of a circular letter. The following conditions may be fulfilled before a decision of the Executive Committee is deemed to have been obtained :

- i The issue must be clearly set out in the circular and forwarded to all members of the Executive Committee;
- ii At least one half of the members of the committee must indicate whether they are in favour or against the proposal; and
- iii The decision must be by majority vote.

Any decision obtained by a circular shall be reported by the Secretary at the next Executive Committee and recorded in the minutes thereof.

- 9.7 Any member of the Executive Committee who fails to attend three (3) consecutive meetings of the Executive Committee without satisfactory explanation shall be deemed to have relinquished from the Executive Committee.
- 9.8 In an event of death or resignation of a member of the Executive Committee the candidate who received the next highest number of votes at the previous election for the particular post shall be invited to fill the vacancy. If there is no such candidate or if such candidate declines to accept office, the Executive Committee shall have the power to coopt any other member of the Pertubuhan to fill the vacancy until the next Annual General Meeting.
- 9.9 The Executive Committee shall give instructions to the Secretary and the other officers for the conduct of the affairs of the Pertubuhan. It may appoint such organisers and such staff as it deems necessary. It may suspend or dismiss any organisers or member of the staff for neglect of duty, dishonesty, incompetency, 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 Pertubuhan.
- 9.10 Between Annual General Meetings the Committee shall interpret the rules of the Society and, when necessary determine any point on which the rules are silent.
- 9.11 Except where they are contrary to or inconsistent with the policy previously laid down by the General Meeting, the decision of the Committee shall be binding on all members of the Society unless and until countermanded by a resolution of a General Meeting.

## **10. DUTIES OF OFFICE BEARERS**

- 10.1 The PRESIDENT shall during his term of 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 Secretary and Treasurer, sign all cheques on behalf of the Pertubuhan.
- 10.2 The VICE-PRESIDENT shall deputise for the President during the latter's absence.
- 10.3 The SECRETARY shall conduct the business of the Society in accordance with the 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 maintain a proper membership register of the members consisting of details such as name, identity card no., date/place of birth, occupation, name/address of employer and residential address. In conjunction with the President and the Treasurer he shall sign all cheques on behalf of the Society.
- 10.4 The ASSISTANT SECRETARY shall assist the Secretary in all the administrative work of the Pertubuhan and shall act for him in his absence.

- 10.5 The TREASURER shall be responsible for the finances of the Pertubuhan. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall, in conjunction with the President and the Secretary, sign all cheques on behalf of the Pertubuhan.
- 10.6 The Ordinary Committee members shall carry out such duties as directed by the Committee.

## **11. FINANCIAL PROVISIONS**

- 11.1 Subject to the following provisions in this Constitution, the funds of the Pertubuhan shall be expended for any purpose necessary for carrying out of its objects, including the expenses of its administration, the payment of salaries, allowances and expenses of its office-bearers and paid-staff, and the audit of its accounts, but they shall on no account be used to pay the fine of any member who may be convicted in the court of law.
- 11.2 The Treasurer may hold a petty cash advance not exceeding RM 1,000.00 (Ringgit One Thousand) 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 Executive Committee. The bank account shall be in the name of the Pertubuhan.
- 11.3 All cheques or withdrawal notices on the Pertubuhan's account shall be signed jointly by the President (or in his absence by the Vice-President), the Secretary and the Treasurer or in his absence the Executive Committee shall appoint one of its members to sign in his place.
- 11.4 No expenditure exceeding RM 500.00 (Ringgit Five Hundred) at any one time shall be incurred without the prior approval of the Executive Committee, and no expenditure exceeding RM 2,000.00 (Ringgit Two Thousand) in any one month shall be incurred without the prior approval of the Special General Meeting. Expenditure of below RM 500.00 (Ringgit Five Hundred) can be approved by the President together with the Secretary and Treasurer.
- 11.5 As soon as possible at the end of each financial year, ie. 31<sup>st</sup> December, a statement of income and expenditure and a balance sheet for the year shall be prepared and audited by the Auditor/Auditors appointed under sub-Rule 9.3. The audited accounts should be submitted for the approval of the next Annual General Meeting, and copies should be made available at the registered office of the Pertubuhan for the perusal of members of the Pertubuhan.
- 11.6 The financial year for the Pertubuhan begins from 1<sup>st</sup> January and ends on the 31<sup>st</sup> of December of every year.

## **12. AUDIT**

- 12.1 The Annual General Meeting shall appoint two (2) Auditors who shall not in any way be associated with the Pertubuhan. The Auditors so appointed shall hold such appointment for one year and can be re-appointed.
- 12.2 The Auditors shall be required to audit the accounts of the Pertubuhan for the year and prepare a report or certificate for the Annual General Meeting. The President may direct for the accounts of the Pertubuhan to be audited for any period within the tenure of the office of the Auditors and on any date, and make a report to the Executive Committee.

## **13. TRUSTEES**

- 13.1 Three (3) Trustees who shall be over 21 years of age shall be appointed at the Annual General Meeting and they may stay as long as the Pertubuhan requires them. They shall have vested in them all immovable property whatsoever belonging to the Pertubuhan and shall sign the Deed of Trust.
- 13.2 The trustee shall not sell, withdraw, or transfer any property of the Pertubuhan without the consent and authority of the Annual General Meeting of the members.
- 13.3 A trustee may be removed from office at the Annual General Meeting due to ill-health, unsoundness of mind, absence for the country or for any other reason if he is unable to perform his duties satisfactorily. In the event of death, resignation and removal of a Trustee the vacancy shall be filled at a Annual General Meeting.

## **14. INTERPRETATION OF RULES**

- 14.1 During an Annual General Meeting, the Executive Committee can make its interpretations if it involves important matters.
- 14.2 Except on matters that are necessary or not consistent with policies made at the Annual General Meeting, the decision of the Executive Committee is final.

## **15. PATRON**

The Executive Committee can, if necessary, appoint an appropriate person to be the patron of the Pertubuhan provided a written consent is given.

## **16. PROHIBITIONS**

- 16.1 None of the following games shall be played in the premises of the Pertubuhan:  
Roulette, Lotto, Fan Tan, Poh, Peh Bin, Belangkai, Pai Kau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty-one, Thirty-one, Ten and half, all games of Dice, bankers' games, Videogames and all games of mere chance.
- 16.2 Neither the Pertubuhan nor its members shall attempt to restrict or in any manner interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Ordinance, 1959.
- 16.3 The Pertubuhan shall not hold any lottery, whether or not it is confined to its members, in the name of the Pertubuhan or its office-bearers, committee or member without the approval of the governing authority.
- 16.4 'Benefits' as explained in Section 2 of the Societies Act cannot be awarded to the Pertubuhan or any of its members.

## **17. AMENDMENT OF THE CONSTITUTION**

- 17.1 The Rules of the Constitution may not be altered or amended except by a resolution passed at the Annual General Meeting. Such alteration and amendments shall take place within sixty days from the date of the Annual General Meeting and shall take effect after the approval by the Registrar of Societies.

## **18. DISSOLUTION**

- 18.1 The Pertubuhan may be voluntarily dissolved by a resolution of not less than three-fifths of the total voting members present at a Special General Meeting held for this purpose.
- 18.2 In the event of the Pertubuhan being dissolved as provided for above, all debts and liabilities legally incurred on its behalf shall be fully discharged and the remaining funds shall be disposed of in such manner as may be decided upon by an Annual General Meeting.
- 18.3 Notice of the dissolution shall be forwarded to the Registrar of Societies within fourteen (14) days of its dissolution.