

PERSATUAN PENDUDUK DAN PEMILIK BANDAR UTAMA, PETALING JAYA
(BANDAR UTAMA RESIDENTS' ASSOCIATION, PETALING JAYA)
c/o BANDAR UTAMA COMMUNITY CENTRE SDN BHD
No.: 1, Persiaran Bandar Utama
Bandar Utama Damansara
47800 Petaling Jaya
Selangor

CONSTITUTION

1. NAME

The association shall be called the PERSATUAN PENDUDUK DAN PEMILIK BANDAR UTAMA, PETALING JAYA (BANDAR UTAMA RESIDENTS' ASSOCIATION, PETALING JAYA,) (hereinafter referred to as "the Association").

2. ADDRESS

The registered address and place of business of the Association shall be c/o BANDAR UTAMA COMMUNITY CENTRE SDN BHD, No.1, Persiaran Bandar Utama, Bandar Utama Damansara, 47800 Petaling Jaya, Selangor; or such other place as may be decided by the Committee. Any change of address shall require the prior approval of the Registrar of Societies.

3. OBJECTS

The objects of the Association shall be :-

- 3.1 to advance and maintain the welfare of the residents of the Bandar Utama township (hereinafter referred to as "the township");
- 3.2 to promote and nurture a caring, united and interactive community and to organise and supervise activities towards this end;
- 3.3 to provide opportunities and forum for recreation and social cultural and educational interaction for the benefit of its members;
- 3.4 to organise and support schemes for the beautification and cleanliness of the environment of the township and the general improvement of public health and welfare;
- 3.5 to receive and administer funds for education recreation social and charitable purposes of the township;
- 3.6 to purchase, hire or otherwise acquire equipment and apparatus in connection with activities organised to forward the objects of the Association;
- 3.7 to purchase, take on lease, or otherwise acquire the use of any land, site or building for the administration and promotion of the objects of this Association;
- 3.8 to uphold and protect the interests of members generally;
- 3.9 to liaise and enter into arrangements with any government or local authority or any other person that may be conducive to the Association's objects.

4. MEMBERSHIP

- 4.1 The following shall be eligible for membership:
 - (a) All Malaysian citizens 18 years of age and above who are residents of the township;
 - (b) Lawfully constituted institutions, firms or corporations which are resident in the township and as approved by the Committee.

For the purposes of this Constitution, the expression "residents" shall include both residents and owners of properties in the township.

- 4.2 All eligible residents may apply to be Ordinary Members or Life Members, and all eligible institutions, firms or corporations may apply to be Associate Members. All applications for such memberships shall be made to the Committee upon such forms as the Committee may from time to time prescribe.
- 4.3 Upon application by an resident or an institution, firm or corporation, the Committee shall furnish the applicant with a copy of the Association's Constitution and a request to remit to the Treasurer within fourteen (14) days from the date of such request the amount of the applicable entrance fee and requisite subscription. Upon payment of such entrance fee and requisite subscription such applicant shall become a member of the Association and be entitled to all the benefits and privileges of membership and be bound by this Constitution.
- 4.4 If such entrance fee and subscription be not paid within fourteen (14) days from the date of such request as aforesaid, the application for membership shall lapse unless the Committee is satisfied that the delay in payment was due to absence from Malaysia or other sufficient cause.
- 4.5 Any Ordinary member may at any time, provided his/her membership has not lapsed and he/she has not resigned or been expelled from the Association under this Constitution, apply to become a Life Member subject to one payment of his/her future subscriptions being compounded into such sum as prescribed below.
- 4.6 Any member may resign his/her/its membership by giving to the Secretary two (2) weeks written notice to that effect. Every such notice shall, unless otherwise expressed, be deemed to take effect as from the 1st day of January next following the receipt thereof.
- 4.7 The Committee shall have the power to expel any member who shall offend against the Constitution or whose conduct shall in the opinion of the Committee render him/her/it unfit for the membership of the Association. Before any such member is expelled the Secretary shall give him/her/it seven (7) days written notice to attend a meeting of the Committee and shall inform him/her/it of the complaints made against him/her/it. No member shall be expelled without first having an opportunity of appearing before the Committee and answering complaints made against him/her/it nor unless at least two-thirds of the Committee then present vote in favour at his/her/its expulsion. The Committee shall have the right to reject the application of a resident who has previously been expelled under this Constitution.
- 4.8 Each Associate Member may nominate one (1) representative to attend and vote at general meetings and up to ten (10) representatives to participate in activities of the Association, but shall not be eligible to serve on the Committee. However, Associate Members shall be entitled to

serve on sub-committees through their representatives as may be approved by the Committee.

5. MEMBERSHIP FEES

5.1 The entrance fee and annual subscription shall be as follows :-

Entrance Fee :RM 10.00

Individual Life Membership :RM 50.00

Annual Subscription

Ordinary Membership : RM 12.00

Associate Membership : RM600.00

5.2 Subscriptions of Ordinary and Associate Members shall be payable on an annual basis. All annual subscriptions except the first subscription of a new Member shall be payable on the 1st day of January in each year. If such subscription be not paid by on or before the 1st day of January the defaulter shall cease to be a member of the Association as of that date.

5.3 Subscriptions of Life Members shall be payable upon request in accordance with Articles 4.3 and 4.5 of this Constitution in one payment.

6. HONORARY MEMBERS

6.1 The Committee may from time to time invite, as Honorary Members persons who in the opinion of the Committee have contributed to the Association services, efforts or monies towards the promotion of the interests and objects of this Association. Members may suggest names for invitation by submitting the same to the Secretary. Honorary Members shall not be required to pay any entrance fee or subscription.

6.2 Honorary Members shall be entitled to all benefits and privileges of membership except that they shall not be qualified to be officers or members of the Committee, or to vote as its members, or to claim any share of the property or assets of the Association upon its dissolution.

6.3 The Committee or the members at general meeting may revoke the membership of any Honorary Member.

7. THE COMMITTEE

7.1 The management of the Association shall be deputed to a Committee who shall be elected at the annual general meeting and shall hold office for two (2) years. No Committee Member shall hold the same office for more than two (2) consecutive terms.

- 7.2 All members of the Committee and every officer performing executive functions in the Association shall be Malaysian citizens.
- 7.3 The Committee shall comprise the following office-bearers :-
- 7.3.1 The Chairman, who shall preside over any general and Committee meeting in his presence and shall be responsible for the proper conduct of all such meetings;
 - 7.3.2 The Deputy Chairman, who shall assist the Chairman and in the absence of the Chairman act in the capacity of Chairman in the conduct of such meetings;
 - 7.3.3 The Secretary, who shall be responsible for the administration and conduct of the Association in accordance with this Constitution and the Association to be approved by resolution of the Committee and submitted to the annual general meeting;
 - 7.3.4 The Assistant Secretary, who shall assist the Secretary in his duties and act for the Secretary in his absence;
 - 7.3.5 The Treasurer, who shall be responsible for all monies received by the Association and shall keep books of accounts of the Association's business;
 - 7.3.6 The Assistant Treasurer, who shall assist the Treasurer in his duties and act for the Treasurer in his absence;
 - 7.3.7 Five Committee Members who are Ordinary Members;
 - 7.3.8 Additional Committee Members who are Ordinary Members comprising ONE member representing each Residential Section of the township, and for the purposes of this Constitution, a Residential Section shall be represented by the numeral following the alphabets "BU" in the road address e.g. BU1, BU2 and so on, provided that if no nomination for such Committee Member is received or no such Committee Member is elected, the Committee shall be empowered to appoint Ordinary Member(s) fill such vacancy or vacancies.
 - 7.3.9 Additional Ordinary Members may be co-opted at the discretion of the Committee provided that such co-opted members shall have no voting powers.
- 7.4 The function of the Committee is to organise and supervise the day-to-day activities of the Association and to make decisions on matters affecting its running within the general policy laid down by the general meeting. The Committee may not act contrary to the express wishes of the general meeting without the 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.
- 7.5 At the annual general meeting, upon the expiry of the terms of office of any Committee member, any two members of the Association may propose any candidate or candidates for the vacancy, by notice in writing to the Secretary at least seven (7) days before the meeting and the Secretary shall forthwith post the list of the names of those who are proposed as candidates at the registered address of the

Association. Every member shall be entitled to vote for as many candidates as there are vacancies to be filled and no more. The candidates up to the number of vacancies who shall receive the most votes shall be declared elected and in the event of two or more candidates receiving an equal number of votes, the Chairman of the meeting shall have a second or casting vote.

- 7.6 The Committee shall have the power to appoint a member to fill any casual vacancy on the Committee until the next annual general meeting. Any member so appointed shall retire at the next annual general meeting but shall be eligible to be proposed as a member of the Committee at such meeting.
- 7.7 With the exception of the Chairman, Deputy Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer, any Committee member may propose any member of the Association, whether or not he is a member of the Committee, to be his alternate. Any proposal of an alternate Committee member shall not take effect until approved by the Committee. The alternate Committee member, if approved by the Committee shall have the same rights and duties as the Committee member who had proposed him, in the latter's absence.
- 7.8 The Committee shall meet at least once in every month to examine the accounts and arrange the affairs of the Association. Quorum at such meetings shall be not less than one-half the number of the Committee. At least five (5) days shall be given to the members. The Committee shall have the right and privilege to regulate its own proceedings. Minutes shall be taken of all the proceedings of the Committee and shall be open to the inspection of any member of the Association applying to the Secretary therefor.
- 7.9 Any member of the Committee being absent from three (3) consecutive Committee meetings without reasonable explanation to the Committee shall be deemed to have resigned from the Committee.
- 7.10 The Committee may, if it deems necessary and expedient, make, repeal and or amend regulations and or decisions not inconsistent with this Constitution for the management and well-being of the Association. All such regulations and decisions shall be binding upon members until repealed by the Committee or set aside by resolution at general meeting.

8. SUB-COMMITTEES

The Committee may from time to time appoint one of their members to form and head such other sub-committees to be constituted by at least two (2) other members of the Association, as they may deem expedient or necessary, and may depute or refer to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee, and shall conduct their business in accordance with the directions of the Committee. In the event that any member ceasing to be a member of the Committee he/she shall automatically cease to be a member of the sub-committee and

another member of the Committee may be appointed in his/her place.

8A. AREA SUB-COMMITTEES

- 8A.1 The Committee may also from time to time upon recommendation from not less than six (6) Ordinary Members from a particular Residential Section of the township establish an Area Sub-committee for that Residential Section to organise the activities of members of the Association in that Residential Section.
- 8A.2 An Area Sub-committee shall comprise a chairman, vice-chairman, secretary, treasurer and such other members as may be appointed by the Committee. The duration as well as the powers and duties of an Area Sub-committee shall be determined by the Committee.
- 8A.3 All Area Sub-committees shall periodically report their proceedings to the Committee, and shall conduct their business in accordance with the directions of the Committee.
- 8A.4 An Area Sub-Committee may collect and disburse funds on behalf of the Association as authorised by the Committee.
- 8A.5 Pursuant to the foregoing, an Area Sub-committee may be authorised by the Committee to open a bank account in the name of the Association designated exclusively for that Area Sub-committee e.g. BURA(BU3), BURA(BU7), etc.
- 8A.6 All cheques or withdrawal notices on an Area Sub-committee account shall be signed jointly by the chairman and the vice-chairman or the secretary or the treasurer of that Area Sub-committee, subject to such conditions as the Committee may determine.

9. TRUSTEES

- 9.1 There shall be not more than four (4) trustees of the Association who shall be members of the Association. The trustees shall be appointed by the Committee and the property of the Association other than cash (which shall be in the control of the Committee) shall vest in them to be dealt with as the general meeting shall from time to time direct by resolution.
- 9.2 The trustees shall hold office until death or resignation or until removed by resolution at general meeting.
- 9.3 The trustees shall be indemnified against risk and expense out of the Association's property.

10. ANNUAL GENERAL MEETING

- 10.1 The annual general meeting of the Association shall be held no later than six (6) months from the end of the financial year in each year upon a date and time to be fixed by the Committee for the following purposes :-
 - 10.1.1 to receive from the Committee a report of the business of the Association for the preceding twelve (12) months;
 - 10.1.2 to receive from the Committee an estimate of the receipts and expenditure for the current financial year;

- 10.1.3 to elect a Committee and to appoint two (2) auditors for the ensuing years;
 - 10.1.4 to decide on any resolution which may be duly submitted to the meeting as hereinafter provided;
 - 10.1.5 the presentation of and (if accepted) the passing of the statement of accounts for the previous financial year ended prior to the meeting and which accounts shall have been duly audited by the auditors.
- 10.2 Full accounts of the financial affairs of the Association duly audited by the auditors shall be delivered to every member with the notice convening the annual general meeting.
- 10.3 Any member desirous of moving any resolution at the annual general meeting shall give notice thereof in writing to the Secretary not less than seven (7) days before the date of such meeting provided that any such motion shall have a seconder. The Secretary shall forthwith post a copy of the motion at the registered address of the Association.

11. EXTRA-ORDINARY GENERAL MEETING

The Committee may at any time for any reason call an extraordinary general meeting, and shall do so forthwith upon the requisition in writing of any ten (10) voting members stating the purposes for which the meeting is required.

12. NOTICE OF MEETING

- 12.1 At least fourteen (14) days before the annual general meeting or any extra-ordinary general meeting, a notice of such meeting and of the business to be transacted thereat shall be posted at the registered address of the Association and a printed copy thereof shall be sent to every member of the Association. The report of the Committee, statement of accounts and estimate as above-mentioned shall be placed at the registered address of the Association at least fourteen (14) days before the annual general meeting.
- 12.2 Each member shall notify the Secretary of any change of his/her/its address. Any notice required by this Constitution to be sent shall be deemed to have been received if sent by post or otherwise to a member at his/her/its last known address.

13. CONDUCT OF MEETING

- 13.1 At all general meetings of the Association the Chairman, and in his absence the Deputy Chairman, shall take the chair. Every member present shall be entitled to one vote upon every motion and in the case of an equality of votes the Chairman shall have a second or casting vote. The Committee shall be empowered. If they think fit, to make regulations for enabling members unable to be present to vote by proxy or in writing.
- 13.2 The quorum at all general meetings shall be twice the number of the Committee or one-half ($\frac{1}{2}$) the total voting membership of the Association whichever is the lesser.
- 13.3 Any general meeting not obtaining quorum after one (1) hour shall be stood down automatically to a date fourteen (14) days therefrom and shall be convened at that date at the

same time and venue, the members being present thereat shall be deemed to constitute the quorum, provided they shall not have the power to alter this Constitution or make decisions affecting the whole membership.

- 13.4 No member shall be entitled to vote at any meeting unless all subscriptions due from such member to the Association in respect of the year in which the meeting is held have been paid in full prior to the meeting.

14. FINANCE

- 14.1 The financial year of the Association shall end on the 31st December in each year, to which day the accounts of the Association shall be balanced.
- 14.2 The Treasurer may hold a petty cash advance not exceeding Ringgit Malaysia Two Thousand (RM2,000.00) only at any one time. All money in excess of this sum shall within seven days of receipt be deposited in a bank approved by the Committee. The bank account shall be in the name of the Association.
- 14.3 All cheques or withdrawal notices on the Association's account shall be signed jointly by the Chairman (or in his absence the Deputy Chairman) and the Secretary or the Treasurer. In the absence of the Secretary or the Treasurer the Committee shall appoint one of its members to sign in his/her place.
- 14.4 No expenditure exceeding Ringgit Malaysia five Hundred (RM500.00) but less than Ringgit Malaysia Two thousand (RM2,000.00) only at any one time shall be incurred without the prior sanction of the Committee, and no expenditure exceeding Ringgit Malaysia Two Thousand (RM2,000.00) only in any one month shall be incurred without prior sanction of a general meeting. Expenditure less than Ringgit Malaysia Five Hundred (RM500.00) may be incurred by the Chairman together with the Secretary or the Treasurer.
- 14.5 At every annual general meeting two (2) members of the Association not being members of the Committee shall be elected to serve as auditors for two years. The accounts shall as soon as practicable after the end of the financial year be audited by the auditors so elected.
- 14.6 No member shall except for professional services rendered at the request of the Committee on any pretext or in any manner receive any profit salary or emoluments from the funds or transactions of the Association.
- 14.7 No money or property of the Association or any gain arising from the carrying on of the Association shall be applied otherwise than for the benefit of the Association as a whole or some charitable or benevolent purpose chosen by resolution of a general meeting.
- 14.8 The Association shall derive its income from entrance fees, subscriptions, donations, contributions and such other sources as may be approved by the Committee by resolution.

15. AMENDMENT OF CONSTITUTION

This constitution may be added to repealed or amended by resolution at any annual or extra-ordinary general meeting

provided that no such resolution shall be deemed to have passed unless it is carried by a majority of at least two third of the members voting thereon. Any amendment to the Constitution shall be submitted to the Registrar of Societies within twenty eight (28) days of being passed by the general meeting. Such amendment shall be effective from the date of approval of the Registrar of Societies.

16 DISSOLUTION

- 16.1 If at any general meeting a resolution for the dissolution of the Association shall be passed by a majority of the members present, an extra-ordinary general meeting shall be held not less than six (6) weeks thereafter of which not less than four (4) weeks written notice shall have been given to each member and at which not less than one-half of the total voting membership of the Association shall be present. If at that special general meeting that resolution is confirmed by a resolution passed by a majority of two-thirds of the members voting thereon the Association shall be so dissolved.
- 16.2 Upon such dissolution the Committee shall proceed to realise the property of the Association and discharge all liabilities and debts incurred on its behalf. The funds remaining thereafter shall be disposed in the manner as shall be decided upon by general meeting.

17 INTERPRETATION

- In this Constitution unless the context otherwise specifies :-
- 17.1 Words importing the masculine gender shall import the feminine and neuter genders and vice versa.
- 17.2 Words importing the singular shall import the plural and vice versa.
- 17.3 The expressions "days" and "years" shall mean calendar days and years;
- 17.4 The Committee shall be the sole authority for the interpretation of this Constitution and of the regulations made from time to time by the Committee and the decision upon any question of interpretation upon any matter affecting the Association and not provided for by this Constitution or by the regulations shall be final and binding on the members.

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last amended 6 Jan 2003