

CONSTITUTION

PERSATUAN GRADUAN DAYAK SARAWAK (PGDS) (SARAWAK DAYAK GRADUATES ASSOCIATION)(SDGA)

CLAUSE 1 NAME

1. The Association shall be known as

PERSATUAN GRADUAN DAYAK SARAWAK (PGDS) (SARAWAK DAYAK GRADUATES ASSOCIATION)(SDGA)

Hereinafter referred to as "the Association".

2. Meaning of name :

3. Level : **Negeri**

CLAUSE 2 ADDRESS

1. The registered address is

3RD FLOOR, LOT 16, PANOVEL COMMERCIAL CENTRE, JALAN SIMPANG TIGA,

93300 KUCHING, SARAWAK

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

3RD FLOOR, LOT 16, PANOVEL COMMERCIAL CENTRE, JALAN SIMPANG TIGA,

93300 KUCHING, SARAWAK

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

CLAUSE 3 OBJECTIVE

The objectives of the Society shall be :

- 1) To cultivate and advance a learning culture among members of the Society in the area of education, socioeconomic, technology and spiritual development;

- 2) To promote mutual understanding among members of the Society, and maintain goodwill and harmonious co-existence with all races in Malaysia;
- 3) To provide a means and forum for members of the Society to participate constructively in nation building through inter-cultural exchange programs between the Society and other races in Malaysia;
- 4) To collaborate with other societies in Malaysia, having similar objectives in promoting sport activities and encourage proactive dialogues for enhancing greater inter-ethnic co-operation, instill religious tolerance and establishes mutual respect to safeguard the dignity of all races in Malaysia;
- 5) To publish and distribute books, journals, magazines, newsletters, bulletins and other forms of print and electronic publications for the purpose of advancing the objectives of the Society; in accordance with the laws of Malaysia;
- 6) To undertake research and development activities for the purpose of socioeconomic, educational and cultural advancement of the Dayak community;
- 7) To organize course, seminar, conferences, workshops, dialogues and training for the benefit of all members of the Society and the Dayak community at large;
- 8) To set up trust funds, bursarial fund, or any form of funds for the purposes of providing assistance to all members of Society, as agreed to by the Executive Committee;
- 9) To receive any form of endowment, donations, or gifts from any party, be it public or private sector, or from individuals for the running of the activities of the Society;
- 10) To engage as agreed by the Executive Committee in any legal business transactions or dealings, including owing of properties or assets, both moveable and immoveable, tangible and intangible;
- 11) To own and erect buildings for the purpose of carrying out the Society's activities;
- 12) To sell, let, dispose or grant rights over all or any property of the Society, as agreed by the Executive Committee; and
- 13) To uphold the rights and interests of the members of the Society in accordance with the provisions of the Federal Constitution, the Society Acts of 1996, and any other statutory provisions.

CLAUSE 4 MEMBERSHIP

(1) MEMBERSHIP QUALIFICATIONS

Any person/applicant who meets all of the following qualifications shall be eligible to apply for membership:

- (a) Not a bankrupt and above 18 years of age;
- (b) A Malaysian citizen of Dayak Origin;
- (c) A Berawan, Bidayuh, Bisaya, Bukitan, Dusun, Iban, Kedayan, Kelabit, Kayan, Kenyah, (including Sabup and Sipeng), Kajang (including Sekapan, Kejaman, Lahanan, Punan, Tanjong and Kanawit), Lugat, Lisum, Lun Bawang, Melanau, Penan, Punan Busang, Sabeng, Sian, Tagal, Tabun, Tering, Ukit, or any other mixture of these with each other and, or any mixture of these with other races or whose parents/parent is one of the above;
- (d) Has been awarded a University or a College degree or a diploma by any institution or higher learning in or outside Malaysia;

(2) Types Of Membership

(a) Life Members.

A life member need to pay the following to the Secretariat of the Society:

- (i) Entrance Fee : RM10.00
- (ii) Membership Fee : RM100.00

(b) Honorary Members

Can be accorded to any individual; if the Executive Committee is satisfied that such individual can render constructive contributions to the society advancement.

(3) APPLICATION FOR MEMBERSHIP

(a) Every application for a membership shall be proposed and seconded by two (2) existing members and shall be forwarded to the Secretary General who shall, at the first convenient opportunity, submit it to the Executive Committee for approval. The committee may, at its discretion, reject any application without assigning any reason for such rejection.

(b) Every applicant whose application has been approved by the Executive Committee shall, upon payment of the prescribed entrance fee and first annual subscription, be admitted as a member of the Society and shall be entitled to all the privileges accorded by the Society.

(4) Rights And Privileges Of Membership

(a) A Life Member shall have the right to vote and hold office in the Society.

(b) An Honorary member shall have no voting right, but can participate actively in the Society's activities.

(c) Any member shall have privilege of introducing to the Society's premises his friends and relatives as guests.

(5) Obligation Of Members

(a) To abide by the rules of the Society and its resolutions.

(b) To pay any donation or subscription punctually according to the provision thereof.

(c) In the event of having been elected to the Executive Committee, to refrain from rejecting such election without any reasonable cause.

(d) Every member shall notify the Secretary General of his/her change of address, failing which any letter, circular or notice sent to his/her last registered address, shall be deemed to have been given to and received by such member for any purpose provided by these rules.

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

(f) No books, periodical, newspapers or any other property of the Society shall be removed from the Society without the consent of the Executive Committee or any person whom the Executive Committee has delegated such power to.

(g) Member shall be responsible for the conduct and behavior of their guests and for all expenses incurred on behalf of their guests or for any breakage or damage caused by their guests to the property of the Society.

(h) The Society shall not be liable in respect of any death of or any injury sustained by any member or his guest arising in any way whatsoever from his membership of the Society or from his use or enjoyment of the Society, its amenities, privileges or facilities or otherwise howsoever arising.

CLAUSE 5 RESIGNATION AND TERMINATION

(1) Any member may resign his/her membership by giving to the Secretary General, notice in writing 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.

(2) The Executive Committee may, if at any time it shall be of the opinion that the interest of the Society so require, by letter invite any members to withdraw

from the Society within such time as is specified in such letter, and in default of such withdrawal to submit the question of his/her expulsion to an Extraordinary General Meeting to be held within six weeks after the date of such letter. Not less than four weeks' notice of the meeting shall be given to the members. It shall be the duty of the Secretary General to inform the member in question of the time and place of the meeting and of the nature of the complaints against him/her in sufficient time to afford him/her a proper opportunity of offering his/her explanations. At such meeting, the members shall be allowed to offer any explanation of his/her conduct verbally or in writing, and thereupon, two thirds of the members present shall vote for his/her expulsion, he/she shall thereupon cease to be a member of the Society. Provided that the voting at any such Extraordinary General Meeting shall be by ballot is not less than five members present thereat shall do demand. It shall be in the power of the Executive Committee to exclude such member from the Society's premises until such Extraordinary General Meeting is held as required above.

(3) No person who has been expelled from the Society under paragraph (2) above shall at any time be re-admitted as a member.

(4) Any person shall, upon ceasing to be member of the Society, whether on account of resignation or expulsion, forfeit all rights to any claim upon the Society and its property and funds.

CLAUSE 6 SOURCE OF INCOME

The income of the Society shall derive from:

(1) Entrance Fee : RM10.00

(2) Life Membership : RM100.00

CLAUSE 7 GENERAL MEETING

(1) ANNUAL GENERAL MEETING

(a) An Annual General Meeting of the Society shall be held as soon as possible after the close of each financial year on a date and at a time and place to be decided by the Executive Committee, but not later than 31st March. The business of the Annual General Meeting shall be:

(i) To receive the Secretary General's reports on the working of the Executive Committees and any sub-committee during the previous year;

(ii) To receive the Treasurer General's report and the audited accounts of the Society for the previous year;

(iii) To elect biennially members of the Executive Committee and to appoint auditor or auditors for the ensuing two (2) years and

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

(b) A preliminary notice of the Annual General Meeting stating the date, time and place, and calling for motions for discussion and motions for amendment of the rules shall be sent by the Secretary General to all members not later than thirty days before the date fixed for the meeting, and this notice shall either be prominently displayed at the registered office/address of the Society, or be advertised in any local newspaper.

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

(d) The Secretary General shall send to all members at least fourteen days before the meeting an agenda including copies of minutes and reports, motions and audited accounts of the Society for the previous year. Copies of these documents shall also be made available at the registered office/address of the Society for the perusal of members.

(e) Each registered member present at the Annual General Meeting shall have one vote, and in the case of tie of votes, the President shall have a casting vote.

(f) There shall be no voting by proxy.

(g) Voting other than for election of Executive Committee shall be by a show of hands unless otherwise required by members present. All matters shall be decided by a simple majority.

(h) All registered members of the Society shall be eligible to attend a Biennial General Meeting and has the right to speak and vote on any matters put forwards during such meeting.

(i) Election of the Executive Committee shall be decided by a simple majority of votes.

(2) EXTRAORDINARY GENERAL MEETING

(a) An Extraordinary general Meeting of the Society shall be convened:

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

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

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

(c) Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Secretary General to all members at least fifteen (15) days before the date fixed for the meeting.

(3) QUORUM AND POSTPONEMENT OF GENERAL MEETINGS

(a) The quorum for any General Meeting shall be at least twice the number of the Executive Committee members or one half of the total voting membership, whichever is lesser.

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

(c) Where no quorum is present at the subsequent date decided in accordance with paragraph (b) above;

(i) An Annual General Meeting shall proceed to business provided that such meeting shall not amend these rules or make decisions affecting the whole membership.

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

CLAUSE 8 COMMITTEE

(1) An Executive committee who shall be termed as office bearers of the Society, shall be elected biennially at the Annual General Meeting and comprise the following:

A President

A Deputy President

Three (3) Vice Presidents to be elected one each from the Iban, Bidayuh and Orang Ulu Community

A Secretary General

An Assistant Secretary General

A Treasurer General

An Assistant Treasurer General

Eleven (11) Ordinary Committee Members

(2) The President may co-opt up to a maximum of five (5) ordinary members or life members into the Executive Committee if deems necessary.

(3) All members of the Executive Committee shall serve a 2 year term of the office and shall be elected at the Annual General Meeting.

(4) Every officer performing executive functions in the Society shall be Malaysian citizens of Dayak origin.

(5) No member of the Executive Committee shall hold any office in any political party. Such a member shall deem not to be entitled to hold such a post in the Executive Committee upon being elected or appointed to such post in any political party.

(6) Name of the above offices shall be proposed and seconded and election will be by a simple majority vote of the voting members at the Biennial General Meeting. All the office bearers shall be eligible for re-election.

(7) The function of the Executive Committee is to organize and supervise the day-to-day activities of the Society and to make decisions on the matters affecting its running within the general policy laid down by the Annual General Meeting. The Committee may not act contrary to the expressed wishes of the General Meeting without prior reference to it and shall always remain subordinate to the General Meeting. It shall furnish a report to each Annual general meeting on its activities during the previous year.

(8) The Executive Committee shall meet at least once every three months and seven days notice of each meeting shall be given to the members. The President acting alone, or not less than three (3) of its members acting together may call for the meeting of the Executive Committee to be held at any time. At least one half (1/2) of the Executive Committee Members must be present for its proceedings to be valid and constitute a quorum.

(9) 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 resigned from the Executive Committee.

(10) In the event of death or resignation of a member of the Executive Committee, the Executive Committee shall have power to co-opt any other member of the Society to fill the vacancy until the next Annual General Meeting.

(11) The Executive Committee shall give instructions to the Secretary General and other officers for the conduct of the affairs of the Society. It may appoint such organizers and such staff as it deem necessary. It may suspend or dismiss any organizer or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason which it deems good and sufficient in the interest of the Society.

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

(a) The issue must be clearly set out in the circular and forwarded to all members of the Executive Committee.

(b) At least one-half (1/2) of the members of the Executive Committee must indicate whether they are in favor or against the proposal.

(c) The decision must be made by a majority vote. Any decision obtained by the circular letter shall be reported by the Secretary General to the next Executive Meeting and recorded in the minute thereof.

(13) The Executive Committee shall have the power to appoint Sub-Committee for the furtherance of the objectives of the Society as it may deem fit and to delegate to Sub-Committee all or any of the powers so delegate and revoke all such appointments. Any Sub-Committee so appointed shall, in exercising the powers so delegated, conform to any of the rules and regulations that may, from time to time, be imposed upon it by the Executive Committee.

(14) The Executive Committee may make, repeal and alter by-laws which are inconsistent with these rules. All by-laws or rescission and alterations thereof shall be posted on the notice board in the Society's premises for a fortnight, during which time any twenty members may, by notice in writing to the Secretary General, require the opinion of an Extraordinary General Meeting to be taken thereof. If no such notice is given, the by-laws or rescission or alterations thereof shall become binding on all members.

CLAUSE 9 DUTIES OF OFFICE BEARERS

(1) The President shall during his term of office, preside at all general meetings and all meetings of the Committee and shall be responsible for the proper conduct of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved.

(2) The Deputy President shall assist the President in carrying out his duties and shall deputize for the President during the latter's absence.

(3) The Secretary General shall:

(a) Conduct the business of the Society in accordance with its rules, and shall carry out the instructions of the General Meeting and of the Executive Committee.

(b) He/she shall be responsible for conducting all correspondence and keeping all books, documents and paper except the accounts and financial records.

(c) He/she shall attend all meetings and record the proceedings.

(d) He/she shall forward to the Registrar of societies an annual Return as required under Section 14(1) of the Societies Act, 1966 within 60 days after the Annual General Meeting or if no General Meeting is held, once in every calendar year.

(e) He/she shall keep a Membership Register containing the following particulars:

(i) Serial Number

(ii) Date of Admission

(iii) Name

(iv) Date and Place of Birth

(v) Identity Card Numbers

(vi) Nationality

(vii) Occupation and Office Address

(viii) Home Address

(ix) Telephone Number

(x) Email Address

(4) The Assistant Secretary General shall assist the Secretary General in carrying out his/her the duties and shall act for him/her in his/her absence.

(5) The Treasurer General shall be responsible for the finances of the Society. He/she shall keep accounts of all its financial transactions and shall be responsible for their correctness.

(6) The Assistant Treasurer General shall assist the Treasurer General in carrying out his/her duties and shall act for him/her in his/her absence.

(7) The Ordinary Committee Members shall take charge of duties allocated to them

by
the Committee and shall assist the above officers in carrying out their duties.

CLAUSE 10 **FINANCIAL PROVISION**

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

(2) The incomes and properties of the Society, and profits derived from participation in any business or investment shall be applied solely towards the furtherance promotion and execution of the objects of the Society and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or bonus or otherwise to the person or persons who at any time are or have been members of the Society or to any person claiming through them. But nothing herein contained shall prevent the payment in good faith of remuneration to any office bearers or servants of the Society or to any member thereof or other person in return for any service actually rendered to the Society.

(3) The Treasurer General may hold a petty cash advance not exceeding three hundred ringgit at any one time. All money in excess of this sum shall, within seven (7) days of receipt, be deposited in a bank approved by the Executive Committee. The bank account shall be in the name of the Society.

(4) All cheques and withdrawal notices on the Society's account or other forms of banking or financial instruments shall be signed jointly by the any two of the following:

(a) President

(b) Secretary General

(c) Treasurer General

(5) In the absence of the Secretary General or the Treasurer General, the Executive Committee shall appoint one of its members to sign in his/her place.

(6) No expenditure transaction, exceeding five thousand ringgit at any one time per transaction shall be incurred without prior sanction of the Executive Committee, and no expenditure transaction exceeding fifty thousand ringgit at any time per transaction shall be incurred without prior sanction of Annual General Meeting.

(7) As soon as possible after the end of each financial year, a statement on income and expenditure and a balance sheet for the year shall be prepared by the Treasurer General and audited by the Auditor/Auditors appointed under Clause 11. The audited accounts shall be submitted for the approval of the next Annual General Meeting, and copies shall be made available at the registered office/address of the Society for the perusal of members.

(8) The Society may raise fund for the attainment of their objectives with prior approval by the Registrar of Societies and the authority concerned.

CLAUSE 11 AUDITORS

(1) One or more persons, who shall not be office bearers of the Society, shall be appointed biennially at the Annual General Meeting as Auditors. He/She shall hold office for two years only and shall be reappointed.

(2) The Auditor/Auditors shall be required to audit the accounts of the Society for the year, and to prepare a report or certificate for the Annual General Meeting. He/They may also be required by the Executive Committee to audit the accounts of the Society for any period within his/their tenure of office at any date, and to make a report to the Executive Committee.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

(1) Three officers who must be office bearers and over 21 years of age shall be appointed biennially at the Annual General Meeting for the purpose of Section 9(b) of the Societies Act, 1966.

(2) They shall hold office for two (2) years and shall be eligible for re-election.

(3) The officers appointed under this rules shall deal with immovable property of the Society in such manner as the General Meeting may direct provided that all immovable properties shall be registered in the name of the Society.

(4) The officers shall not sell, withdraw or transfer any of the properties of the Society without the consent and authority of a General Meeting.

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

CLAUSE 13 INTERPRETATION

(1) Between Annual General Meetings, the Executive Committee shall interpret the rules of the Society and, when necessary, determine any point on which the rules are silent. Such interpretation shall be final and conclusive.

(2) Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting, the decision of the Executive Committee shall be binding on all members of the Society unless and until countermanded by a resolution of the general meeting.

CLAUSE 14 ADVISOR / PATRON

Patrons/Advisors may be appointed by the Executive Committee to the Council of Patrons/Advisors, whose role shall be that of providing advice and guidance to the Executive Committee and members of the Society, as and when deemed necessary for the good of the Society and in the furtherance of the Society's objectives.

CLAUSE 15 PROHIBITION

(1) No benefits as defined under Section 2 of the Societies Act, 1966 shall be given by the Society to any of its members.

(2) Any person shall not hold office in the Society or become an advisor or employee of the Society if he is disqualified under Section 9A of the Societies Act, 1966.

(3) Neither the Society nor its members shall engage or try to engage in any Trade Union activities as defined in the Trade Union Act, 1959.

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

(5) The registered address/premises of the Society shall not be converted into a place of worship/praying unless gazetted for such purposes.

CLAUSE 16 AMENDMENT OF CONSTITUTION

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

CLAUSE 17 DISSOLUTION

(1) The society may be voluntarily dissolved by a resolution of not less than three fifths of the total voting membership at a General Meeting convened for the purpose.

(2) In the event of the Society being dissolved as provided above, all debts and liabilities legally incurred on its behalf, shall be fully discharged and the remaining fund disposed of in such manner as may be decided upon by a General Meeting.

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

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag



Description

The Society's badge and flag shall consist a white background in the middle of the badge or flag, and inscribed beneath the logo shall be written the Society's motto

2. Logo



Description

(1) The Society's logo shall consist of a graduation hat, shields in a circular formation and a ribbon.

(2) The graduation hat depicts the universal symbol of education, besides indicating a successful completion in education as signified by word - BERILMU.

(3) The circular formation of the shields portrays the Dayak intellectual congregating in a unified formation to show - DISIPLIN.

(4) The ribbon around the shields indicates that through education and discipline, a responsibility, obligation and sense of duty arise - BERJASA.

(5) The black color in the logo is associated with strength and ability. The use of this color is to acknowledge that the Dayaks are able to control the destiny through education.

(6) The blue background dignifies a calming effect, blue symbolizes the Dayaks younger generation. It also reflects the calmness, peace and harmony which the Dayaks community in Sarawak has achieved.

(7) The light blue color which forms the background of the logo represents the confidence and hope of the Dayaks community for the future.

(8) The red color found on the logo indicates the spirit of endeavor among the Dayaks as they boldly strive forward to help their community in all fields. It also reflects the Dayaks tradition of gaiety and hospitality.

(9) The use of white in the logo reflects the members' honesty and sincerity in assisting the community in their pursuits of excellence.

(10) The yellow used in the logo is a color of illumination which reflects the new spirit of enlightenment that the Dayaks have achieved through education and cooperation.

(11) The color RED, YELLOW and BLACK are part of the Dayaks traditional colors and all three colors are often used in their traditional clothes, ceremonies and other part of their culture. BLUE, however, connotes the future well-being of the Dayaks through more educated younger generations as they work together in unity to contribute towards a more

progressive and harmonious homeland -
Malaysia.

3. Badge



Description

The Society's badge and flag shall consist a white background in the middle of the badge or flag, and inscribed beneath the logo shall be written the Society's motto

CLAUSE 19 THE SOCIETY'S MOTTO AND SLOGAN

(1) The motto of the Society shall be "Committed to Community Excellence" which shall be inscribed in the Society's badge and flag.

(2) The slogan of the Society shall be "BERDISIPLIN, BERILMU, BERJASA" and the slogan shall be inscribed in the Society's logo.

CLAUSE 20 DIVISIONAL LIAISON COMMITTEE

(1) In a Division where there are not less than seven (7) members, here shall be established a Divisional Liaison Committee which shall be appointed by member in the respective Division. The liaison Committee shall have a Chairman, a Secretary and not less than five (5) other members.

(2) The first meeting shall be called either by the Secretary General or President of the Society, and thereafter by the Secretary or Chairman of the Liaison Committee. a copy of the minutes of meeting shall be forwarded to the Secretary General and President of the Society.

(3) The duties and functions of the Liaison Committee are generally to coordinate the activities of the Society in the Division.

(4) Any activities held in the Division shall have the prior sanction of the President of the Society and upon the completion of the activity a report shall be made to the President. No activity shall be held if it transgresses any policy laid down by the Executive Committee or the General meeting of the Society.

(5) No press releases touching on the Policy matters shall be made without the sanction of the President of the Society.

(6) The Liaison Committee shall not collect funds nor shall it keep any accounts. It

shall however be allowed to collect levies for ad hoc purposes but all monies received shall be banked into the Society bank account but shall be used only for the purpose mentioned by the Liaison Committee.