

CONSTITUTION OF THE SABAH LAW ASSOCIATION

NAME

1. The name of the Association shall be the "Sabah Law Association". The registered office of the Association shall be 2nd Floor, 58 Jalan Pantai Hainan Association Building, 88000 Kota Kinabalu c/o W.D.T. 414 88904 Kota Kinabalu

OBJECTS

2. The objects of the Association shall be:
 - (1)
 - (a) To uphold the cause of justice without regard to its own interests or that of its members, uninfluenced by fear or favour;
 - (b) To maintain and improve the standards of professional practice etiquette conduct discipline and learning of the legal profession in Sabah;
 - (2) To facilitate the acquisition and dissemination of legal knowledge by members of the legal profession in Sabah;
 - (3) To assist the Government and the Courts in all matters affecting legislation and the administration and practice of the law in Sabah;
 - (4) To represent protect and assist members of the legal profession in Sabah and to promote in any proper manner the interest of the legal profession in Sabah;

- (5) To establish libraries and to acquire or rent premises to house the libraries and offices of the Association or amenities for the use of members either alone or in conjunction with any other body or society;
- (6) To own accept hold acquire lease apply for transfer dispose assign let or otherwise deal with properties both moveables and immoveables for the benefit of the Association and members.
- (7) To promote good relation and social intercourse among members and between members and other persons concerned in the administration of law and justice;
- (8) To protect and assist the public in all matters and if necessary to voice or express opinion touching ancillary or incidental to the law;
- (9) To promote a system of legal advice and aid to poor and deserving persons;
- (10) To grant pecuniary or other assistance to any association institution board or society in Sabah;
- (11) To afford pecuniary and other assistance to members or former members of the Association and to their spouses widowers / widows and children who are in need of such assistance;
- (12) To encourage establish and maintain good relations with professional bodies of the legal profession within and outside Malaysia and to participate in the activities of any local or international association and become member thereof; and
- (13) To all such other things as are incidental or conducive to the achievement or betterment of the purpose of the Association.

MEMBERSHIP

3. There shall be three classes of membership, open to men and women, namely -
 - (1) Ordinary membership;
 - (2) Associate membership; and
 - (3) Honorary membership.

ORDINARY MEMBERSHIP

4.
 - (1) Ordinary Membership shall be open to any person who is in practice advocate in Sabah under the provisions of the Advocates Ordinance Cap. 1 or any law in replacement thereof and who is resident in Sabah.
 - (2) Ordinary members who are not in arrears with their annual subscription shall be entitled to speak and vote at any general meeting of the Association and shall be entitled to be elected to the Executive Committee.

ASSOCIATES MEMBERSHIP

5.
 - (1) Associate Membership shall be open to any person resident in Sabah who is not eligible for ordinary membership but who possesses the professional qualifications for practice as an advocate in Sabah or such other legal qualifications as may be approved by the Executive Committee for admission to such membership.
 - (2) Associate members may attend any general meeting of the Association and may speak but may not vote nor may they be elected to the Executive Committee.

HONORARY MEMBERSHIP

6. Honorary Members shall be by conferment by the Executive Committee on such persons and for such period as the Executive Committee may decide. Honorary members may be invited by the president to attend and speak at any general meeting of the Association but may not vote or be elected to the Executive Committee.

APPLICATION FOR MEMBERS

7. Every application for ordinary or associate membership shall contain such particulars as may be required by the Executive Committee and shall be proposed and seconded by two ordinary members and shall be forwarded to the Secretary who shall, at the first convenient opportunity, submit it to the Executive Committee for approval.
8. An application whose application had been rejected by the Executive Committee may appeal to the general meeting of the members whose decision shall be final.

SUBSCRIPTIONS

9. (1) The following subscriptions shall be payable:
 - (a) Ordinary Member : RM200-00 per annum
 - (b) Associate Member : RM50-00 per annum
- (2) Subscriptions shall be payable on admission to membership and thereafter in advance on the 1st day of January in each year. The first year's subscriptions shall be in respect of the remaining months of that year calculated at the respective rates applicable to such members.

CESSATION OF MEMBERSHIP

10. A member shall cease to be a member in any of the following circumstances -
 - (1) If he no longer possesses the qualifications for membership as hereinbefore provided;
 - (2) If he resigns by notice in writing address to the Secretary;
 - (3) If the Executive Committee considers that it is not in the interests of the Association that he should continue to be a member in which case the allegations shall be made known to him in writing, he shall be given a reasonable opportunity to answer those allegations and the decision of the

Committee shall be subject to appeal to the general meeting of the members; and

- (4) If he is in arrears in his annual subscription at any one time. His membership may however be reinstated by the Executive Committee if and when he pays his current arrears of annual subscription to the Association

EXECUTIVE COMMITTEE

- 11 The management of the Association shall be vested in a Committee called the Executive Committee, consisting of one President, one Vice-President, **the Immediate Past President**, one Secretary, one assistant Secretary, one treasurer and **not more than eight** Committee Members.
12. The members of the Executive Committee shall hold office for a term of two (2) years commencing from the date of the Annual General Meeting at which they were elected until the following Annual General Meeting, Provided always they shall be eligible for reelection.
13. (a) The Executive Committee shall have power to fill vacancies and to appoint Sub-Committees.

(b) The Executive Committee shall have the power to make rules for giving effect to the objects of the Association. Provided that such rules shall only come into force after being adopted by the general meeting.

EXECUTIVE COMMITTEE MEETING

14. The Executive Committee shall meet from time to time whenever necessary but shall meet at least once in every three months.
15. The quorum for an Executive Committee Meeting shall be four.

DUTIES OF OFFICE-BEARERS

16. The President, or in his absence such other member of the Executive Committee as may be elected by the Executive Committee, shall preside at all general meetings and all meetings of the Executive Committee and shall be responsible for the proper conduct of all such meetings. He shall have a casting vote and shall sign the minutes to each meeting at the time they are approved.
17. The Secretary shall carry out the instructions of the general meeting and of the Executive Committee and 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.
18. The treasurer shall be responsible for the finance of the Association. He shall keep accounts of all the financial transactions of the Association and shall be responsible for their correctness. He shall sign all cheques which shall be countersigned by either the President or the Secretary.

ANNUAL GENERAL MEETING

- 19.1 The Annual General Meeting of the Association shall be held not later than June in each year and the following business shall be transacted at such Meeting.
 - (1) To receive the President's report;
 - (2) To receive and approve the Audited Accounts of the Association;
 - (3) Subject to Article 12 hereof, to elect members of the Executive Committee;
 - (4) To appoint an auditor; and
 - (5) To consider such other matters as may be referred thereto of which not less than seven (7) days written notice has been given to the members or otherwise referred thereto by the President.

ELECTION OF MEMBERS OF THE EXECUTIVE COMMITTEE

- 19.2 At least twenty one (21) days before the date fixed for the Annual General Meeting at which the Election of the Executive Committee is to be considered, the Secretary

of the Association shall inform the members of the Association that nominations for the election of members of the Executive Committee referred to in Article 12 may be made and such nominations must reach the Secretary of the Association within a date specified by the Secretary which shall not be less than seven (7) days before the date of the Annual General Meeting.

EXTRA-ORDINARY MEETING

- 20 An Extraordinary General Meeting may be convened at any time by the Executive Committee or at the request in writing made to the President or Secretary by not less than thirty per centum of the number of ordinary members, and where such requisition for a meeting is made, the same shall be convened within 30 days of the receipt of such request.

NOTICE OF ANNUAL GENERAL MEETING

- 21 At least twenty one (21) days notice of an Annual General Meeting shall be sent to all members together with the following documents :
1. Agenda
 2. Accounts for year ending 31st December
 3. Minutes of the previous Annual General Meeting

QORUM FOR GENERAL MEETING

22. The quorum for a General Meeting shall be twice the number of members of the Executive Committee or fifty per centum (50%) of the number of Ordinary Members which ever is less. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting if convened at the requisition of members shall be dissolved, and in any other case the meeting shall stand adjourned to such date (not less than 14 days), time and place as the members present shall decide. If at the adjourned meeting a quorum of members is not present within half an hour from the time appointed for the meeting, the members present shall proceed with the meeting as if a quorum is present provided that the members present shall not be less than 7 in number.

VOTING

23. Voting at general meeting may be by show of hands or by secret ballot if the members at the meeting so decide.

VOTING BY PROXY

- 23A. Voting at any general meeting may be by proxy provided that the instrument of proxy is lodged with the Secretary not less than 48 hours before the general meeting and it shall state clearly the name of the members giving the proxy and the member to whom it is given. A member to whom a proxy is given must be an ordinary members.

FINANCIAL PROVISIONS

24. Subject to the direction of the general meeting of members the Executive Committee shall have power to expend the funds of the Association in accordance with the objects of the Association.
25. All monies shall be deposited with a bank to be approved by the Executive Committee.
26. All cheques shall be signed by the Treasurer and countersigned by the President or Secretary.
27. The Executive Committee may authorize the Treasurer to hold such amount as petty cash as it may decide.
28. The financial year of the Association ends on the 31st December, and as soon as possible after the end of every financial year a statement of income and expenditure and balance sheet for the year shall be prepared and audited and submitted for approval at the next Annual General Meeting, and every member of the Association shall be supplied with a copy of such audited accounts prior to the Annual General Meeting.

AUDITOR

29. The accounts of the Association shall be audited by an auditor appointed at the Annual General Meeting. A member of the Executive Committee may not be appointed an auditor.

NOTICE

30. All notices may be sent to the last known address of the members and it shall be the duty of members to notify the Secretary of any change of address.

AMENDMENT OF RULES

31. These rules may be amended, by resolution at a general meeting provided that no such resolution shall be deemed to have been passed unless not less than two-thirds of the ordinary members present at the meeting voted for resolution. Such amendments shall take effect from date of approval by the Registrar of Societies.