



PARTI GERAKAN RAKYAT MALAYSIA

Party Constitution - 2014

PART I
NAME, ADDRESS, PLACE OF MEETING,
SECRETARIAT, EMBLEM & FLAG

1. **NAME**
The Party shall be known as “PARTI GERAKAN RAKYAT MALAYSIA”, and in English “MALAYSIAN PEOPLE’S MOVEMENT PARTY”.
2. **ADDRESS**
The Registered Office of the Party and its postal address shall be at No. 8, Jalan Pudu Ulu, Level 5, Menara PGRM, Cheras, 56100 Kuala Lumpur, or at such other address as is approved by and registered with the Registrar of Societies, Malaysia.
3. **PLACE OF MEETING**
Its place of meeting shall be at the Registered Office or at such other place as may from time to time be decided on by the Central Committee.
4. **THE SECRETARIAT**
The Secretariat of the Party shall be established at the registered office of the Party or at such other place as may be determined by the Central Committee and shall be managed and controlled by the Central Working Committee through the Secretary General.
5. **EMBLEM**
The emblem of the Party shall be five golden stalks of twelve grains of padi on a green background, enclosed in a white equilateral triangle.
6. **FLAG**
The flag of the Party shall have a red background with the said emblem in the centre.

PART II
AIMS AND OBJECTS

7. **AIMS AND OBJECTS**
 - 7.1 **Constitution Of Malaysia & Rukunegara**
To honour and uphold the Constitution of Malaysia and to sustain the tenets of the Rukunegara.
 - 7.2 **Egalitarian Malaysian Society**
To strive for an egalitarian Malaysian Society based on humanitarian and democratic principles and to ensure social and economic justice by :-
 - a) eliminating any exploitation and giving full opportunity to everyone for legitimate economic advancement;
 - b) promoting a just and equitable distribution of wealth;
 - c) providing adequate and efficient facilities and amenities with proper regulatory control to ensure fair and just pricing;
 - d) ensuring the ownership of economic lots of land by the peasants and others and their efficient utilization;
 - e) encouraging and promoting healthy trade unionism and uplifting the conditions and standard of living of the working population;
 - f) eliminating all forms of gender-based discrimination.

- 7.3 Unity
To preserve and strengthen the unity and the happiness of the people in a spirit of understanding, tolerance and goodwill.
- 7.4 Economic And Cultural Advancement
To promote and ensure the economic and cultural advancement of all communities in the development of national identity.
- 7.5 Advancement Of The Poor And The Backward
To eliminate the conditions which cause economic backwardness amongst our people; to protect the economically weak from exploitation and to encourage, assist and strengthen their participation in economic activities.
- 7.6 Civil And Other Services
To ensure well organised and efficient civil and other services.
- 7.7 Family
To uphold the institution of the family.
- 7.8 Religious Tolerance
To encourage and promote respect and tolerance for the religious life of all communities.
- 7.9 Anti Corruption
To eliminate corruption in all forms.
- 7.10 Languages
To uphold Bahasa Malaysia as the National Language, to preserve and sustain the use and study of the Chinese, Tamil, English and other languages of the Malaysian communities.
- 7.11 Free Education
To provide free education for children up to the age of 18.
- 7.12 Co-operation With Other Political Organisations
To co-operate with other political organisations with similar aims and objects on a Malaysian basis in joint political activities.

PART III MEMBERSHIP

8. CATEGORIES

- 8.1 Membership shall be classified into three categories :-
- a) Ordinary Membership for individual persons;
 - b) Life Membership for individual persons;
 - c) Affiliated Membership for individual organisations.

9. QUALIFICATIONS

- 9.1 For Ordinary Membership
Membership of the Party shall be open to Malaysian citizens who:-
- a) are at least 18 years of age;
 - b) agree and undertake to abide by the Constitution and to adhere to the programmes, principles and the policies of the Party;

- c) are not members of any other political party; and
- d) are not in any way disqualified to participate in any political party or organisation as defined in the Societies Act, 1966.

9.2 For Life Membership

A Life Member shall be appointed, from among the ordinary members who have been in the Party for at least 20 years and have been active in branch, division, state or national level, at the discretion of and by the Central Committee.

Am.
24 Aug 2003

9.3 For Affiliated Membership

9.3.1 Affiliated Membership is open to any organisation registered within Malaysia which has declared its support for the objects of the Party and accepts the conditions of affiliated membership, and agrees to abide by them.

9.3.2 No organisation may be accepted as an Affiliated Member unless it satisfies the following conditions :-

- a) that it accepts and agrees to adhere to the programmes, principles and policies of the Party;
- b) that it agrees to abide by this Constitution and the Rules applicable to Affiliated Members from time to time;
- c) that it submits its constitution and political programmes for approval by the Central Committee;
- d) that it pays its yearly subscriptions

10. LIFE MEMBERS COUNCIL

10.1 The Party shall have a Council of not more than 300 Life Members consisting of all the Founder members and those appointed under Art 9.2. When the number of Life Members is less than 300 or where a Life Member ceases to be a Life Member either by death, resignation or otherwise, the Central Committee shall have the power to appoint another Life Member to fill up the vacancy thereof.

Am.
24 Aug 2003

10.2 (a) The Council of Life Members shall in the year of election once in every 3 years elect 6 life members to the Central Committee, such election shall be held prior to the National Delegates' Conference.

Am.
18 Oct 2014

(b) The term of the 6 Life Members to the Central Committee shall end upon the election of the new Central Committee Members at the Annual General Meeting of the Life Members Council.

Add
24 Aug 2003

10.3 Notice of any election meeting shall be sent by the Secretary General to the members of the Council of Life Members at least twenty one days before the date of such meeting.

10.4 Party Immovable Property Committee

a) The Council of Life Members shall at a meeting of the Council in the year of election for the Central Office Bearers establish a Party Immovable Property Committee by electing from its voting members a Chairman and two Committee members;

b) No Life Member may be elected to the Party Immovable Property Committee unless he has held office in the Central Committee for at least 5 years;

c) Members of the Party Immovable Property Committee shall be elected for a term of 3 years.

Am.
30 Jan 1997

10.5 The President or any other Life Member duly authorized by him shall chair any meeting of the Council of Life Members.

11. ADMISSION

11.1 An intending member shall submit his application for membership in such form as the Central Working Committee may from time to time prescribe together with his entrance fee and subscription for the current year to the Secretary General or to the Secretary of the Branch of the area in which he works or resides. The Branch Secretary shall forward such application to the Secretary General within seven days upon receipt of such application.

Am.
24 Aug 2003

11.2 Every application for membership shall be submitted for approval to the Secretary General who shall tender the approved application for confirmation by the Central Working Committee at its next meeting.

11.3 On confirmation of the application by the Central Working Committee, the Secretary General shall cause the member to be registered with the Branch in the area where the member resides or works or as directed by the Central Working Committee and shall inform the Branch and the applicant accordingly as well as issuing him with a membership card.

11.4 The applicant shall be entitled to exercise all the rights of membership and enjoy its benefits upon approval of his application and confirmation by the Central Working Committee or upon approval of his appeal by the Central Committee.

Am.
24 Aug 2003

11.5 In the event of the application for membership failing either to be approved by the Secretary General or to be confirmed by the Central Working Committee, the applicant shall be so informed within one month of the decision. He shall be entitled within one month of his being informed of the rejection of his application to appeal to the Central Committee which shall deal with the appeal and its decision shall be final.

Am.
24 Aug 2003

11.6 An applicant may appeal to the President for a decision if he does not receive any notification from the Secretary General on the result of his application within two months after its submission.

11.7 A person shall be deemed to have been admitted as a member of the Party as from the date of approval of his application and confirmation by the Central Working Committee or approval of his appeal by the Central Committee.

Am.
24 Aug 2003

11.8 The Central Committee or the Central Working Committee may reject any application without assigning any reason thereof.

12 *ENTRANCE FEE AND SUBSCRIPTION

* Am.
30 Sept.2001

- 12.1
- a) entrance fee shall be RM2.00;
 - b) subscription for an Ordinary Member shall be:
 - (i) RM2.00 per year; or
 - * (ii) A one-time payment of RM50.00;
 - c) * no subscription is payable by a Life Member;
 - d) the subscription for an Affiliated Member shall be RM100.00 per year.

Am.
30 Sept 2001

12.2 The subscription is payable annually on or before 30th June of the year, provided that if the Ordinary Member elects to pay the one-time payment referred to in Article 12.1(b) (ii), then that Ordinary Member need not pay the subscription annually for the subsequent years.

12.3 Any member who allows his arrears to exceed two years' subscription shall automatically cease to be a member of the Party. He may, however, be reinstated on payment of all the arrears at the discretion of the Central Working Committee.

12.4 The Central Working Committee may impose on members special subscriptions or levies for any purpose. If any member fails to pay such special subscriptions or levies within such period as may be resolved, the amount due shall be treated in the same manner as arrears of annual subscription.

12.5 The Central Working Committee shall have the power to waive the dues of any member on grounds of hardship on receipt of an application from the member concerned.

13. RIGHTS OF MEMBERS

13.1 Unless otherwise provided for in this Constitution, a member shall be entitled :-

- a) to attend and speak at all meetings which he is entitled to attend;
- b) to vote at all meetings which he is entitled to attend;
- c) to hold such office in the Party to which he may be duly elected or appointed; and
- d) to have access to and to make such reasonable use of such facilities as the Party may provide.

13.2 A member is not entitled to vote in any meeting or a Party election unless he is a voting member, a duly elected or appointed delegate or unless he has obtained approval in writing from the Central Working Committee.

Am.
30 Sept 2001

13.3 A member is not entitled to stand as a candidate in a Party election unless he is an eligible candidate as defined under Article 41 of this constitution or unless he has obtained approval in writing from the Central Working Committee.

Am.
24 Oct 1997

13.4 An Affiliated Member shall not be entitled to any right except to nominate such representatives when called upon by the Central Committee of the Party to do so from time to time to sit in the Central Committee or in any other committee or sub-committee for any specific or general purpose. Such nominated representatives of an Affiliated Member shall not have the right to vote.

Am.
30 Sept 2001

14. TRANSFER OF MEMBERS

14.1 A member whose place of residence or place of work has been located within the area of another Branch may apply for transfer to the new Branch by submitting an application in triplicate in the prescribed form to the Secretary General.

14.2 The Secretary General shall approve the application unless he is satisfied that there are reasonable grounds against the transfer.

14.3 The Secretary General shall notify the existing Branch as well as the Branch to which he is transferred by sending to the Secretaries of each of the Branches concerned a copy of the application for transfer together with the approval given.

15. RESIGNATION OF MEMBERS

15.1 A member who wishes to resign from the Party shall give 30 days' notice in writing to his Branch Secretary and a copy to the Central Working Committee through the Secretary General and shall return his membership card and properties belonging to the Party and shall pay up all dues.

15.2 The Branch Secretary shall immediately notify the Secretaries of his Division and State Liaison Committee of the resignation.

15.3 No notice of resignation shall be accepted from any member who has to exculpate himself of any disciplinary charge or proceeding against him by virtue of the provisions under Article 17 of this Constitution.

15.4 An Affiliated Member may resign its membership by giving 30 days' notice in writing to the Secretary General. The Secretary General shall report such resignation to the Central Working Committee.

16. DEPRIVATION OF MEMBERSHIP

16.1 Any member who is known or shown to be a person disqualified from being a member under Article 9 or has ceased to have the requisite qualifications for membership may be deprived of his membership by the Central Working Committee.

16.2 No person shall be deprived of his membership unless an inquiry has been held to determine whether he suffers from the offending disqualification. For the purpose of holding such inquiry the Central Working Committee shall appoint a special sub-committee of not fewer than three members who shall, after hearing all the evidence in the matter, make its recommendations to the Central Working Committee for its decision.

16.3 The decision of the Central Working Committee shall be final.

16.4 (Deleted)

Am.
29 Sept 2012

17. SUSPENSION AND EXPULSION

17.1 The Central Working Committee may suspend any member of the Party for conduct prejudicial to the interest of the Party pending investigations by the National Disciplinary Committee. Such suspension shall be reviewed every 6 months if not lifted earlier. During the suspension, the member concerned shall not take part in any Party activity and shall be deemed to be also suspended from any elected or appointed Party post.

Am.
18 Oct 2014

17.2 The National Disciplinary Committee shall immediately upon the receipt of the show cause reply carry out an investigation and thereafter make a report and recommendation to the Central Working Committee.

Am.
18 Oct 2014

- 17.3 Any member not satisfied with the decision of the Central Working Committee has a right to appeal to the Central Committee within 14 days of his being notified of such a decision by the Central Working Committee. The decision of the Central Committee thereon shall be final and shall not be challenged in any court of law. Am.
18 Oct 2014
- 17.4 (THE PRESENT ARTICLE 17.4 TO BE RENUMBERED AS 17.3) Am. 18 Oct 2014
- 17.5 (DELETE) Am. 18 Oct 2014
18. REGISTERS OF MEMBERS
- 18.1 Every Branch, Division and State Liaison Committee shall keep a register of its members in a form prescribed by the Secretary General.
- 18.2 The Party Secretariat shall keep a Register of all members at its registered office.
- 18.3 Such registers shall be brought up to date from time to time and any change in the membership shall be submitted to the Secretary General for confirmation.
- 18.4 On the death or expulsion of a member, his membership shall be deemed to have ceased and his name shall be struck off from the register of members.
- 18.5 A register of members, wherever kept, shall be made available for inspection by a member on giving 14 days' notice in writing to the Secretaries of his Branch, Division or State or to the Secretary General as the case may be.

PART IV BRANCHES

19. ESTABLISHMENT
- 19.1 A Branch may be established in an area, with at least 50 members, corresponding to a polling district or a combination of polling districts within the same state constituency or as otherwise approved by the Central Working Committee. The maximum number of Branches established in a Division shall not exceed 18 unless the Central Working Committee with the approval of the Central Committee in consultation with the State Liaison Committee concerned decides otherwise provided that such additional Branches shall not exceed 6. Such Branches shall be equally distributed among the number of state constituencies in the Division unless as otherwise approved by the Central Working Committee. Am.
01 Nov 2009
- 19.2 A Branch so established shall be known by the same name as the name of the polling district or of one of the polling districts in which the branch is established or by any other name approved by the Central Working Committee in consultation with the State Working Committee. Am.
24 Aug 2003
- 19.3 No Branch may be established without having obtained the approval of the Central Working Committee in consultation with the State Liaison Committee concerned and the approval of the Registrar of Societies, Malaysia.

20. COMMITTEE

20.1 A Branch shall have a committee consisting of :-

- a) A Chairman to be elected from amongst the members of the Branch or appointed by the Central Working Committee as provided for in Article 78.3;
- b) one or more Vice Chairmen to be appointed by the Chairman from amongst the committee members;
- c) a Secretary to be appointed by the Chairman from amongst the committee members;
- d) an Assistant Secretary, if deemed necessary, to be appointed by the Secretary from amongst the committee members;
- e) a Treasurer to be appointed by the Chairman from amongst the committee members;
- f) a Central Liaison Officer to be assigned or appointed by the Central Working Committee;
- g) the ordinary committee members consisting of :-
 - i) the Chairwoman of the Branch's Women's Wing, if any;
 - ii) the Chairman of the Branch's Youth Wing, if any;
 - iii) 6 other members to be elected from amongst the members of the Branch;
 - iv) such other members, not exceeding 3 in number, may be appointed by the Central Working Committee.

Am.
24 Oct 1997

Am.
24 Aug 2003
[(i) to (iii)]

20.2 A member who is a Member of the State Legislative Assembly or of Parliament in the constituency covering the Branches shall be an ex-officio member of all the Branch committees unless he has already been elected or appointed as an office bearer.

Am.
24 Aug 2003

21. BRANCH BUREAUX AND SUB-BRANCHES

- (a) A Branch committee may establish Branch Bureaux from amongst the members of the Branch;
- (b) (i) A sub-branch may be established within a branch corresponding to a polling district or its localities or as otherwise approved by the State Working Committee;
 - (ii) Each sub-branch shall consist of not less than 20 members
 - (iii) There shall not be more than 12 sub-branches within a branch;
 - (iv) A sub-branch shall consist of one chairman and 6 committee members.

Am. 24 Aug 2003

Am. 24 Aug 2003

Add
24 Aug 2003
[(i) to (iv)]

22. BRANCH WOMEN/YOUTH WING

A Women/Youth Wing may be established in a Branch in accordance with the Rules and Regulations approved by the Central Committee.

Am.
24 Aug 2003

23. TIME FOR ELECTION OF BRANCH OFFICE BEARERS

23.1 A Branch shall elect its office bearers during the year of election once in every three years.

Am.
2 Sept 2006

23.2 A Branch shall elect to its Division one delegate for every complete 25 voting members or part thereof on its qualifying membership register. Provided always that every Branch shall be entitled to be represented by at least 3 but not more than 10 delegates of whom one shall be the Branch Chairman.

Am.
2 Sept 2006

23.3 A Branch shall elect to its State Delegates' Conference two delegates from the voting members on its qualifying membership register of whom one shall be the Chairman.

23.4 A Branch Chairman shall automatically be a delegate to the National Delegates' Conference unless he is already an existing Central Committee member (Article 35.1(a)), in which case he shall appoint in writing another delegate from amongst the members of the Branch Committee.

Am.
2 Sept 2006

23.5 A Branch shall not be entitled to elect any delegate in a year of election in which the Branch does not have at least 50 voting members.

PART V DIVISIONS

24. ESTABLISHMENT

24.1 A Division shall be established in a Parliamentary constituency with at least 4 Branches.

Am.
24 Aug 2003

24.2 A Division so established shall be known by the same name as the Parliamentary constituency in which the Division is established.

24.3 No Division may be established without having obtained the approval of the Central Working Committee in consultation with the State Liaison Committee concerned and the approval of the Registrar of Societies, Malaysia.

Am.
24 Aug 2003

25. COMMITTEE

25.1 A Division shall have a committee consisting of :-

- a) a Chairman to be elected from amongst the Branch delegates to the Division or appointed by the Central Working Committee as provided for in Article 78.3;
- b) one or more Vice Chairmen to be appointed by the Chairman from amongst the committee members;
- c) a Secretary to be appointed by the Chairman from amongst the committee members;
- c) an Assistant Secretary, if deemed necessary, to be appointed by the Secretary from amongst the committee members;
- e) a Treasurer to be appointed by the Chairman from amongst the committee members;
- f) a Central Liaison Officer to be assigned or appointed by the Central Working Committee;
- g) the ordinary committee members consisting of :-
 - i) the Chairwoman of the Division's Women's Wing, if any;
 - ii) the Chairman of the Division's Youth Wing, if any;
 - iii) all Chairmen of the Branches, or in the event that the Chairman of any Branch is elected as the chairman of the Division, the Branch Committee concerned may elect another representative;
 - iv) 6 other members to be elected from amongst the Branch delegates to the Division;
 - v) such other members, not exceeding 3 in number, as may be appointed by the Central Working Committee.

Am.
24 Aug 2003

Am.
24 Aug 2003
[(i) to (iv)]

25.2 A member who is a member of the State Legislative Assembly or of Parliament of the Constituency within the Division shall be a member of the

Am.
30 Jan 1997

committee unless he has already been elected or appointed as an office bearer.

26. DIVISION BUREAUX

A Division committee may establish Division Bureaux from amongst members within the Division.

27. DIVISION WOMEN/YOUTH WING

A Women/Youth Wing may be established in a Division in accordance with the Rules and Regulations approved by the Central Committee.

Am.
24 Aug 2003

28. TIME FOR ELECTION OF DIVISIONAL OFFICE BEARERS

28.1 A Division shall elect its office bearers during the year of election once in every three years.

Am.
2 Sept 2006

28.2 A Division shall elect to its State Delegates' Conference one delegate from amongst the Division delegates. The delegate shall be the Division Chairman unless he is already a delegate by virtue of Article 23.3.

Am.
30 Sept 2001

28.3 A Division shall elect three delegates from amongst the delegates of the Division to the National Delegates' Conference. One of the delegates shall be the Division Chairman unless he is already a delegate by virtue of Article 23.4 or Article 35.1.

Am.
30 Sept 2001

28.4 A Division shall not be entitled to elect any delegate in a year of election in which the Division does not have at least 4 Branches with a minimum of 50 voting members in each Branch.

Am.
24 Aug 2003

**PART VI
STATE DELEGATES' CONFERENCE**

29. ESTABLISHMENT

29.1 A State Delegates' Conference shall be established in a State where there are at least two Divisions.

29.2 A State Delegates' Conference shall consist of delegates elected from amongst the voting members of the Branches and the delegates of the Divisions in the same state.

Am.
30 Sept 2001

29.3 In a state without a State Delegates' Conference the Branches and Divisions shall send their delegates to the State Delegates' Conference of any other state as directed by the Central Working Committee.

29.4 Members who are members of the State Legislative Assembly or of Parliament of the Constituencies within the State may attend, but shall have no right to vote if they are not delegates included in Articles 23.3 or 28.2.

Add
2 Sept 2006

30. STATE LIAISON COMMITTEE

30.1 A State Delegates' Conference shall have a committee known as the State Liaison Committee consisting of :-

- a) a Chairman to be elected from amongst the delegates at the State Delegates' Conference or appointed by the Central Working Committee as provided for in Article 78.3; Am.
24 Oct 1997
- b) one or more Vice Chairmen to be appointed by the Chairman from amongst the committee members;
- c) a Secretary to be appointed by the Chairman from amongst the committee members and, if necessary, an Assistant Secretary to be appointed by the Secretary;
- d) a Treasurer to be appointed by the Chairman from amongst the committee members;
- e) a Central Liaison Officer, to be appointed by the Central Working Committee;
- f) the ordinary committee members consisting of :-
- i) all Chairmen of the Divisions in the State, or in the event that the chairman of any Division is elected as the chairman of the State Liaison Committee, the Division Committee concerned may elect another representative; Am.
24 Aug 2003
[(i) to (iv)]
 - ii) the Chairwoman of the State Liaison Committee's Women's Wing, if any;
 - iii) the Chairman of the State Liaison Committee's Youth Wing, if any;
 - iv) 6 other members to be elected from amongst the delegates to the State;
 - v) such other members not exceeding 3 in number as may be appointed by the Central Working Committee.
- 30.2 Members who are members of the State Legislative Assembly or of Parliament of the Constituencies within the State shall be members of the committee unless they have already been elected or appointed as office bearers. Am.
30 Jan 1997
31. STATE WORKING COMMITTEE
- Subject to the approval of the President, the Chairman of the State Liaison Committee may for the purpose of carrying out routine administration and dealing with emergencies or urgent matters appoint a State Working Committee comprising himself as Chairman, and such number of other committee members not exceeding 5, as he may deem necessary.
32. STATE BUREAUX
- A State Liaison Committee may establish State Bureaux from amongst the members of the State. Am.
24 Aug 2003
33. STATE WOMEN/YOUTH WING
- A State Women/Youth Wing may be established in a State in accordance with the Rules and Regulations approved by the Central Committee. Am.
24 Aug 2003
34. TIME FOR ELECTION OF STATE OFFICE BEARERS
- 34.1 A State Delegates' Conference shall elect its office bearers during the year of election once in every three years. Am.
24 Oct 1997

- 34.2 Every State Delegates' Conference shall be entitled to elect five delegates from amongst the delegates to represent it at the National Delegates' Conference. One of the delegates shall be the Chairman unless he is already a delegate by virtue of Article 23.4 or 28.3.

Am.
30 Sept 2001
Add
2 Sept 2006

PART VII THE NATIONAL DELEGATES' CONFERENCE

35. DELEGATES TO THE NATIONAL DELEGATES' CONFERENCE

- 35.1 The delegates to the National Delegates' Conference shall consist of :-
- a) the existing members of the Central Committee;
 - b) delegates duly elected by the respective Divisions and State Delegates' Conferences to the National Delegates' Conference;
 - c) the Branch Chairmen or the delegates duly appointed pursuant to Article 23.4;
 - d) not more than five delegates elected from each State Women Delegates' Conference;
 - e) not more than five delegates elected from each State Youth Delegates' Conference.

Am.
24 Aug 2003

Am.
24 Aug 2003

- 35.2 Members of Parliament and State Legislative Assemblies who are members of the Party may attend but shall have no right to vote if they are not delegates included in Article 35.1 above.

36. THE CENTRAL COMMITTEE

The Central Committee shall consist of :-

- a) the President to be elected from amongst the delegates at the National Delegates' Conference;
- b) one Deputy President to be elected from amongst the delegates at the National Delegates' Conference;
- c) Vice Presidents comprising :-
 - i) three Vice Presidents to be elected from amongst the delegates at the National Delegates' Conference;
 - ii) not more than 5 Vice Presidents to be appointed by the Central Committee;
 - iii) the National Chairwoman of the Women Wing (Wanita Gerakan);
 - iv) the National Chairman of the Youth Wing (Pemuda Gerakan);
- d) the Secretary General to be appointed from amongst the Central Committee Members by the President with the concurrence of the Central Committee;
- e) the National Treasurer to be appointed from amongst the Central Committee Members by the President with the concurrence of the Central Committee;
- f) not more than three Deputy Secretaries General to be appointed by the Secretary General in consultation with the President from amongst the Central Committee Members or the Party's Voting Members provided that such Voting Member Appointees may only attend Central Committee Meetings as invited observers;
- g) a Deputy National Treasurer to be appointed by the National Treasurer in consultation with the President from amongst the Central Committee Members or the Party's Voting Members provided that such a Voting Member Appointee may only attend Central Committee Meetings as an invited observer;
- h) the Chairman of the National Delegates' Conference to be elected by the

Am.
24 Oct. 1997

Am.
24 Oct. 1997

Am.
01 Nov 2009

Am
01 Nov 2009

- Central Committee Members;
- i) a Deputy Chairman of the National Delegates' Conference to be appointed by the Chairman;
 - j) other members comprising of :-
 - i) 6 Life Members to be elected from amongst the members of the Council of Life Members; Am. 24 Aug 2003
 - ii) 18 members to be elected from amongst the delegates at the National Delegates' Conference; Am. 2 Sept 2006
 - iii) not exceeding 6 members duly appointed by the President with the concurrence of the Central Committee. Am. 24 Aug 2003
 - k) (Deleted) Am. 2 Sept 2006

37. THE CENTRAL WORKING COMMITTEE

- 37.1 The President may for the purpose of carrying out routine administration and for dealing with emergencies or urgent matters establish a Central Working Committee comprising himself as the Chairman and appoint as members the Deputy President, the Secretary General, the National Treasurer and such other members not exceeding 10 in number as he may deem fit.
- 37.2 The Central Working Committee shall meet as often as necessary. One half of its members will form the quorum. The Secretary General may, with the approval of the President, invite any other member of the Party to attend any meeting of the Central Working Committee.
- 37.3 The decisions of the Central Working Committee shall be reached by consensus and the Secretary General shall report such decisions as well as to table the minutes of the meetings to the Central Committee for its information and necessary action.

38. NATIONAL BUREAUX

- 38.1 The Central Committee may establish any National Bureau or Bureaux and appoint their Chairmen from its committee members or the Party's Voting Members. Add
18 Oct 2014
- 38.2 Central Committee shall appoint a five-member National Disciplinary Committee from its Council of Life Members who are not currently serving as elected or appointed Central Committee Members comprising:- Add
18 Oct 2014
 - a) A Chairman
 - b) A Deputy Chairman who shall assume the duties of the Chairman in his absence
 - c) Three other Committee Members
 - d) The Committee shall investigate and enquire as directed by the Central Working Committee, on being alerted or on its own volition :
 - (i) all disqualifications from being a member under Article 9 or members ceasing to have the requisite qualifications for membership;
 - (ii) any conduct deemed prejudicial to the interest of the Party, in particular disobeying the Constitution or Rules or causing dissention and division in the Party;
 - (iii) every 6 months the desirability of the continued suspension of any member.
 - e) The Committee shall meet as often as required. Three members shall form the quorum.
 - f) Any member under investigation shall be called upon to be present at the Committee to determine whether he suffers from the said

disciplinary action and shall be given all opportunities to explain his actions, including presenting witnesses.

- g) The Committee shall table its recommendation to the Central Working Committee and should include to exonerate, punish or expel the member concerned.

39. NATIONAL WOMEN/YOUTH WING

A National Women/Youth Wing may be established in accordance with the Rules of the Party.

40. TIME FOR ELECTION OF NATIONAL OFFICE BEARERS

The National Delegates' Conference shall elect its office bearers to the Central Committee during the year of election once in every 3 years.

PART VIII ELECTION OF OFFICE BEARERS & VOTING IN GENERAL

41. QUALIFICATIONS OF CANDIDATES

- 41.1 Unless otherwise expressly provided for under this Constitution a voting member may stand as a candidate for any post in the branch in which he is registered; however, no voting member who is an elected Branch Chairman who has failed to attend two meetings consecutively of the National Delegates' Conference may stand as a candidate again for the post of Chairman of any branch without the approval of the Central Working Committee.

Am.
30 Jan 1997

- 41.2 A voting member may stand for election as a candidate for any post in the Division, in the State Delegates' Conference or in the National Delegates' Conference provided that he has duly been elected as a delegate to the said Division, State Delegates' Conference or the National Delegates' Conference.

- 41.3 Nominations and election of office bearers shall be carried out in accordance with the Rules in force, duly drawn by the Central Committee, in particular mandating a limitation rule that an incumbent President or /State Chairman who has served for 3 continuous terms shall take a compulsory break from the said post.

Am.
18 Oct 2014

- 41.4 The qualifying register of membership for elections shall be the list of voting members as at 1st January of the year in which elections are held as verified by the Secretary General.

42. VOTING AT MEETINGS

- 42.1 Voting shall be by secret ballot only. Provided that in any resolution affecting business other than elections of office bearers the meeting may resolve to vote by a show of hands.

- 42.2 No voting by proxy shall be allowed at any meeting.

- 42.3 Every member who is a voting member shall have the right to vote on any resolution or in any election at any meeting :-
a) of the Branch of which he is a registered member;

- b) of the Division to which he is a delegate;
- c) of the State Delegates' Conference to which he is a delegate;
- d) of the National Delegates' Conference to which he is a delegate;
- e) of any committee in which he is a member.

42.4 Every member who is entitled to vote shall have only one vote.

42.5 Unless otherwise expressly provided in this Constitution any matter voted upon shall be decided by a simple majority of the members present. In the event of an equality of votes, the Chairman shall have a casting vote.

42.6 Two or more members of a Branch, a Division, a State Delegates' Conference or the National Delegates' Conference carrying out an election shall be elected at the meeting to be scrutineers and to count the votes cast in the election and they shall carry out the duties under a supervisor who shall be similarly elected.

42.7 Any committee or sub-committee may without meeting together, transact any urgent business by circular with the approval of the Chairman and any such resolution may be voted upon by its members by posting their votes to the Chairman concerned.

42.8 Any resolution circularised for voting shall be sent by registered post to every member entitled to vote. Provided that no such resolution shall be valid unless not less than one-half of its members so circularised have voted for the resolution and have returned their votes before the closing date which shall not be less than 14 days from the date of posting of the proposed resolution.

42.9 In any balloting carried out under this Constitution no spoilt vote or unmarked ballot paper shall be deemed to be a valid vote.

42.10 Subject to Article 44 the validity of any proceeding or action taken in pursuance of and in accordance with any provision in this Constitution shall not be invalidated merely because any member or members entitled to vote or to be notified have not been able to vote or have not received such notification unless such omission affects more than one-fourth of the number of members so entitled.

43. PERIODS FOR ELECTIONS

43. PERIODS FOR ELECTIONS

43.1 The Central Working Committee with the approval of the Central Committee shall decide on the periods for the Branch, Division, State Delegates' Conference and National Delegates' Conference to hold their elections in the year in which elections should be held. Notwithstanding this the Central Working Committee with the approval of the Central Committee shall have the power to postpone the due elections to a date or dates after the year in which the election is due to be held but shall not be later than 15 months from 31st December of the election year, provided however that in the event the election is postponed on the grounds of an impending General Election for Parliament, the postponed election shall be held and concluded within 8 months from the date of that General Election.

Am
30 Sept 2001

Add
02 Sept 2006

Add
29 Sept 2012

43.2 (Deleted)

Am.
30 Sept 2001

43.3 (Deleted)

Am.
30 Sep 2001

- 43.4 (Deleted) Am.
30 Sept 2001
- 43.5 In the event of any Branch or Division or State Delegates' Conference failing to hold its elections within the periods prescribed, the President or an officer delegated by him for the purpose may convene a meeting and hold the elections. Am.
24 Aug 2003
- 43.6 No Division General Meeting, State Delegates' Conference or National Delegates' Conference shall delay its elections on account of the failure of any Branch or Division or State Delegates' Conference to hold its elections in time or on account of any dispute arising from elections carried out in any Branch or Division or State Delegates' Conference but shall carry out its elections as scheduled without the representatives from the defaulting Branch or Division or State Delegates' Conference.
- 43.7 In the event of the National Delegates' Conference elections not being held within the period provided for above, a requisition may be made to hold a National Delegates' Conference for the purpose of the elections, such requisition to be made in the manner hereinafter provided for in Articles 74.1 and 74.2.
44. VALIDITY OF ELECTIONS
- No Election shall be invalid by reason of any failure to comply with any provision of this Constitution or of the Rules made thereunder, or the participation in such election by any person who is disqualified from being a member or office bearer under this Constitution or the Societies Act, if it appears to the Central Committee that the result of the election would have remained the same had there not been any failure to comply with any such provision, or had the said person not participated in such election, as the case may be.
45. VACANCIES BETWEEN ELECTIONS
- 45.1 In the event of any vacancy in any office other than that of the Branch, Division or State Chairman or President occurring at any time before the next election, such vacancy subject to the approval of the Central Working Committee may be filled by the committee of the respective Branch, Division, State or National Delegates' Conference. The person appointed to fill such a vacancy shall hold office until the next election held by the Branch, Division, State or National Delegates' Conference concerned. Am.
2 Sept 2006
- 45.2 a) If the vacancy to be filled is that of the Branch, Division or State Chairman or President, an election called by the Secretary or Secretary-General in the case of a vacancy for President shall be held within 60 days if the term served is less than 18 months from the date of the last elections. Add
2 Sept 2006
- b) If the said 18 months had been served, for the remainder of the term of office,
- i) the Deputy President shall act as the Acting President;
 - ii) one of the Vice-Chairman shall be elected by the Committee as the Acting Chairman within 30 days at a committee meeting called by the Secretary.

46. REMOVAL AND REPLACEMENT OF OFFICE BEARERS AT GENERAL MEETING

A Branch, Division, State Delegates' Conference and the National Delegates' Conference may at any time at a General Meeting pass a resolution to remove any office bearer provided that no such resolution shall be passed unless the office bearer concerned has been duly notified and that such a resolution has been stated as an item of the agenda in the notice of meeting and two thirds of all the members present have voted in favour of the resolution. In the event of an office bearer being so removed, the Branch, Division, State Delegates' Conference or the National Delegates' Conference concerned may immediately elect another member to fill the office.

**PART IX
POWERS AND DUTIES**

47. BRANCH, DIVISION AND THEIR COMMITTEES

47.1 Subject to the supervision and direction of the relevant State Liaison Committee and the Central Committee, a Branch or Division may act on all matters through its Branch Committee or Division Committee.

47.2 A Branch Chairman or a Division Chairman shall, except when he carries out the functions of a chairman of a meeting, act and speak in consultation with the Secretary and the Central Liaison Officer of the Branch or Division.

47.3 A Branch Vice Chairman or a Division Vice Chairman shall, when authorized by the Chairman of the Branch or Division Committee, exercise the powers of the Chairman of the Branch or Division.

48. THE STATE DELEGATES' CONFERENCE AND THE STATE LIAISON COMMITTEE

48.1 Subject to the supervision and direction of the President or the National Delegates' Conference, a State Delegates' Conference may act on all matters through its State Liaison Committee or its State Working Committee or the Chairman and shall have the power to supervise and direct the activities of the Branches and Divisions in their respective states.

48.2 A State Liaison Committee Chairman shall, except when he carries out the functions of a chairman of a meeting, act and speak in consultation with the Secretary and the Central Liaison Officer of the State Liaison Committee.

48.3 A State Liaison Committee Vice Chairman shall, when authorized by the Chairman or the State Liaison Committee, exercise the powers of the Chairman of the State Liaison Committee.

49. THE NATIONAL DELEGATES' CONFERENCE AND THE CENTRAL COMMITTEE

The National Delegates' Conference shall have the powers, through the Central Committee, to supervise and direct the activities of all Branches, Divisions and States.

50. SUB-COMMITTEES

Every committee shall have the power to delegate its duties to any office bearer or a sub-committee or working committee.

51. THE SECRETARY GENERAL

51.1 The Secretary General shall have the power and the duties of administering and co-ordinating all the activities of the Central Committee and the National Delegates' Conference and all State Liaison Committees, Divisions and Branches and of acting in accordance with the directions and instructions given and the policies laid down by the National Delegates' Conference, the Central Committee, the Central Working Committee and the President.

51.2 The Secretary General shall be the Chief Executive Officer. He shall be responsible for the appointment of the Executive Secretary, Organising Secretaries and such other member of the Secretariat staff as are necessary, after approval has been obtained from the Central Working Committee for such appointments.

51.3 The Secretary General shall have the power to make such Rules as he may deem necessary for the efficient administration of the Secretariat and to determine the terms and conditions of service of the staff in the Secretariat.

52. THE DEPUTY SECRETARIES GENERAL

The Deputy Secretaries General shall carry out the duties assigned to them by the Secretary General.

Am.
24 Oct 1997

53. SECRETARIES OF COMMITTEES

53.1 The Secretary of a Branch shall carry out the functions and duties of administering the Branch and co-ordinating all the activities of the Branch and shall carry out in particular the duties assigned to him by the Secretary of the Division Committee to which the Branch belongs and/or by the Secretary General.

53.2 The Secretary of a Division shall carry out the functions and duties of administering the Division and co-ordinating all the activities of the Branches forming such Division and shall carry out in particular the duties assigned to him by the Secretary of the State Liaison Committee to which the Division belongs and/or by the Secretary General.

53.3 The Secretary of the State Liaison Committee shall carry out the functions and duties of administering the State Liaison Committee and co-ordinating all the activities of the Divisions forming such State Liaison Committee and shall carry out in particular the duties assigned to him by the Secretary General.

54. ASSISTANT SECRETARIES

All Assistant Secretaries of Branches, Divisions and State Liaison Committee shall assist the Secretaries of the respective Branches, Divisions or State Liaison Committee.

55. THE NATIONAL TREASURER

55.1 The National Treasurer shall have the power and the duties of supervising, checking and controlling the finances of the Party and its organisations, and all funds and expenses of the Party including those of every State, Division and Branch, shall be held and paid by him and/or by any other person so authorized by him.

55.2 The National Treasurer shall have the power to make such Rules, subject to the approval of the Central Committee, as he may deem necessary for the collection, control and administration of funds in the Branches, Divisions and the State Delegates' Conferences and shall have the power to take appropriate action to ensure that such Rules are adhered to or implemented.

56. THE DEPUTY NATIONAL TREASURER

The Deputy National Treasurer shall carry out the duties assigned to him by the National Treasurer.

57. BRANCH/DIVISION/STATE TREASURERS

All Branch, Division and State Treasurers shall carry out the duties assigned to them by the National Treasurer besides assisting him in supervising, checking and controlling the finances of the Party at its respective levels.

58. THE CENTRAL LIAISON OFFICER

The Central Liaison Officer of a State Liaison Committee, Division or Branch Committee shall carry out the duties on liaison work as assigned to him by the Secretary General between such committee to which he is appointed and the Central Committee.

59. CHAIRMEN OF BUREAUX

59.1 The Chairman of each Bureau in a Branch, Division, State Liaison Committee or the Central Committee shall have the power of supervising, directing and co-ordinating the activities of his Bureau and of co-opting such members as deemed necessary for the carrying out of its activities.

59.2 The Chairman of each Bureau may, if necessary, appoint a Secretary to assist him in the functions and activities of such a Bureau.

60. SECRETARIES OF BUREAUX

The Secretary of a Bureau in a Branch, Division, State Liaison Committee or the Central Committee shall carry out the duties assigned to him by the Chairman of such a Bureau.

61. THE PRESIDENT

The President shall be the leader of the Party and shall have the power and shall carry out the duties of advising on and supervising, directing and conducting all the activities of the Party after due consultation with the Secretary General. He shall be the Chairman of the Central Committee and the Central Working Committee.

62. THE DEPUTY PRESIDENT

The Deputy President shall assist the President and shall deputize for the President in his absence.

63. THE VICE PRESIDENTS

A Vice President shall assist the President and the Deputy President and shall when authorized by the President, in the absence of the Deputy President exercise any of the powers of the President.

**PART X
SPECIAL POWERS OF THE
NATIONAL DELEGATES' CONFERENCE**

64. SPECIAL POWERS OF THE NATIONAL DELEGATES' CONFERENCE

64.1 Without prejudice to the generality of its powers conferred by this Constitution the National Delegates' Conference shall have the following powers :-

- a) to appoint from time to time such Ad-Hoc Sub-Committees as it may deem fit to consider and deal with special matters as may be necessary;
- b) to determine and provide terms of reference for such sub-committees as it may think fit and to make such Rules as may be necessary for the regulation of its business;
- c) to enter into arrangements upon such terms and subject to such conditions as the National Delegates' Conference may deem desirable for working in conjunction with any political party, association or organisation with like aims and objects;
- d) to make such Rules as the National Delegates' Conference may consider expedient for the joint working of the business of any organisation connected with the Party or for the purpose of defining the terms and conditions of the joint working of the business of such organisation or as may from time to time be agreed upon between the National Delegates' Conference and such organisation;
- e) subject to these Articles to regulate its own proceedings, direct, manage and control the affairs of the Party and act in the name of the Party;
- f) to make such Rules for the election of members and office bearers or for carrying on the business of the Party at all levels as it may from time to time think necessary for the furtherance of all or any of the objects for which the Party is established, provided always that no such Rules shall be inconsistent with these Articles nor shall such Rules be contrary to any written law governing elections to legislative, public or other bodies;
- g) to prepare and implement any programme for the attainment of any of the objects of the Party;
- h) to present the views of the Party in any manner relating to any of the objects of the Party or on questions of general interest;
- i) to approve or confirm actions taken or policies decided upon by the Central Committee and any other committee and to delegate, subject to such conditions as it may think fit, all or any of its powers, except those under sub-Article (k) of this Article and such other Articles as are herein expressly prohibited from being delegated;
- j) to collect or receive any donation or contribution in money or kind for the attainment of any of the objects of the Party;
- k) subject to Article 92 to amend the Articles of this Constitution as it shall think expedient for the attainment of any object of the Party or for the better management thereof;
- l) to purchase, take or lease, or license or hire or otherwise acquire

movable or immovable property of any kind, and to sell, exchange or otherwise dispose of or deal with any movable or immovable property; to charge mortgage or give as security any or all of the assets of the Party and to obtain any loan with or without security;

- m) to print or publish newspapers, periodicals and pamphlets for the dissemination of information with respect to matters having relation to the objects of the Party;
- n) to promote or oppose legislative and other measures affecting or likely to affect the interests of the country or the members of the Party;
- o) to communicate with public authorities and with other kindred bodies on all matters affecting the national and public interest;
- p) to appoint trustees and authorize such trustees to accept undertake or execute any deed of trust.
- q) to deal with all matters appertaining to the Party not specifically provided for by these Articles.

64.2 The National Delegates' Conference shall have further powers to deal with and have ultimate control over all matters of whatsoever nature concerning the Party.

PART XI SELECTION OF CANDIDATES

65. FOR LOCAL GOVERNMENT

65.1 Subject to Article 65.2, any recommendations to the State Working Committee for candidacy for any appointed or elected posts other than the General Election or By-Election in any State, may be recommended by either the Branch or Division Committees concerned or by both. The State Working Committee shall take such recommendations into consideration and submit its nomination/(s) to the Central Working Committee.

Am.
01 Nov 2009

65.2 The Central Working Committee shall have the final decision in nominating a candidate for such post.

Add
01 Nov 2009

66. FOR GENERAL ELECTION

66.1 Subject to Article 66.2, any recommendations to the State Working Committee for candidacy in the General Election or By-Election, may be recommended by either the Branch or Division Committees concerned or by both. The State Working Committee shall take into consideration such recommendations and submit its nomination/(s) to the Central Working Committee.

Am.
01 Nov 2009

66.2 The Central Working Committee shall have the final decision in nominating a candidate for such post.

Add
01 Nov 2009

66.3 Unless a candidate has been issued with the Certificate of Nomination by the Secretary General, he shall not be deemed to have been nominated to contest in the election by the Party.

Am.
01 Nov 2009

PART XII CONTROL OF GOVERNMENT (LOCAL, STATE OR CENTRAL) BY THE PARTY

67. CONTROL OF GOVERNMENT (LOCAL, STATE OR CENTRAL) BY THE PARTY

- 67.1 In the event of the Party or a coalition in which the Party is a component member gaining a majority in any Local Authority, State or Parliamentary Elections, the members of the Party so elected shall, before taking office, obtain the approval of the Central Committee. The Central Committee shall give such directions as it may deem necessary with regard to the acceptance of office, more particularly of :-
- a) the Chairmanship of the Local Authority;
 - b) the membership of the Executive Council or Cabinet of the State;
 - c) the membership of the Cabinet of the Federation of Malaysia.
- 67.2 It shall be mandatory on the part of a Government formed by the Party, to function in accordance with the directions of the Party and in complete harmony with the policies and aspirations of the Party.

PART XIII MEETINGS

68. RULES

All meetings shall be governed by such Rules as may be laid down from time to time by the National Delegates' Conference.

69. PLACE OF MEETING

Meetings of the Party shall be held at its Registered Office addresses or at such other addresses for which notices have been given to the members.

70. FREQUENCIES

- 70.1 A Branch Committee shall meet at least once in every month.
- 70.2 A Division Committee shall meet at least once in every two months.
- 70.3 A State Liaison Committee shall meet at least once in every three months.
- 70.4 The Central Committee shall meet at least once in every three months.
- 70.5 Meetings of a standing or ad-hoc sub-committee shall be held as and when its Chairman thinks necessary.
- 70.6 The Secretary General in consultation with the President of the Party or the Secretary in consultation with the Chairman of any committee or sub-committee of the Branch, Division or State Liaison Committee thereof may call at any time a meeting of the body over which they represent.
- 70.7 The President of the Party may call a meeting of any body or committee of the Party whenever he deems it necessary to do so in accordance with the provisions of the Constitution.

71. NOTICE OF MEETINGS

- 71.1 Notice of any meeting shall be in writing and be of the following duration :-
- a) For a sub-committee or committee at least 7 days notice;
 - b) For Branch and Division Committees at least 7 days notice;
 - c) For Branch and Division general meetings, State Liaison Committee or

- Central Committee at least 14 days notice;
d) For State and National Delegates' Conferences at least 21 days notice.

71.2 The President or the Chairman of a Branch, Division or State Liaison Committee or sub-committee concerned may in cases of urgency give such notice as he may think fit but the duration of such notice shall not be less than half the period provided for above.

72. ABSENCE FROM MEETINGS

Any member of a committee of the Party who absents himself for three consecutive meetings of such a committee without any valid reason shall ipso facto cease to be a member of such a committee, and the vacancy so created shall be filled in accordance with the provisions of this Constitution as if such a member has resigned his office.

PART XIV EXTRAORDINARY MEETINGS

73. AT BRANCH, DIVISION AND STATE LEVELS

73.1 An Extraordinary meeting of a Branch, Division or State Delegates' Conference of the Party may be requisitioned by at least one fourth (1/4) or 50, whichever is the less, of the members of the Branch, Division or State Delegates' Conference concerned giving at least 21 days notice to the Chairman or Secretary of the Branch, Division or State Delegates' Conference concerned specifying the date and time for the meeting and the agenda for discussion.

73.2 Notice and agenda for an Extraordinary meeting of the Branch, Division or State Delegates' Conference shall be sent to all members of the respective Branch, Division or State Delegates' Conference concerned at least 12 days before the date fixed for the Conference.

73.3 Any meeting so requisitioned under this Article, if no quorum is present after half an hour from the appointed time of the meeting, the requisitioned Extraordinary meeting shall be cancelled and no Extraordinary meeting shall be requisitioned for the same purpose until the lapse of at least 6 months from the date thereof.

74. AT NATIONAL LEVEL

74.1 An Extraordinary National Delegates' Conference of the Party shall be convened :-

- a) if directed by the President in consultation with the Secretary General;
- b) whenever the Central Committee deems it desirable;
- c) if jointly requested for by at least 50% of the Divisions; Provided that reasons are given in writing to the Secretary General who shall convene it within 45 days from the date of the receipt of such requisition.

74.2 Notice and agenda for an Extraordinary National Delegates' Conference shall be sent to all delegates at least 7 days before the date fixed for the Conference.

74.3 Any Extraordinary National Delegates' Conference convened at the requisition of the Divisions under this Article 74.1(c) if no quorum is present after half an hour from the appointed time of the meeting, the requisite

Extraordinary National Delegates' Conference shall be cancelled and no Extraordinary National Delegates' Conference shall be requisitioned for the same purpose until the lapse of at least 6 months from the date thereof.

PART XV QUORUM

75. NUMBER REQUIRED TO CONSTITUTE A QUORUM

Unless otherwise expressly provided for in this Constitution the quorum for the conduct of proceedings of any meeting shall be the presence at all times of at least 50 or one fourth (1/4), whichever is the lesser, of the number of members entitled to vote at the meeting.

Am.
30 Sept 2001

76. DECISIONS ARISING FROM LACK OF QUORUM

Unless otherwise provided for in this Constitution, if half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be adjourned for another half an hour; and if there are still not enough members to constitute a quorum at the end of the second half hour, the members present shall have the power to proceed with the business of the day but they shall not have the power to amend the articles of the Party Constitution and to make decisions affecting the whole membership.

PART XVI SUSPENSION OR DISSOLUTION OF ANY COMMITTEE, BRANCH, DIVISION, STATE OR THE PARTY

77. DISSOLUTION OF THE BRANCH/DIVISION

The Central Working Committee may dissolve :-

- a) a Branch, if for a consecutive period of 6 months its membership is less than 50;
- b) a Division, if for a consecutive period of 6 months the number of branches in the area wherein the Division is formed is less than 4;
- c) a Branch or a Division for reorganisation purposes.
- d) (Deleted)

Am.
24 Aug 2003

Am. 30 Sept 2001

78. SUSPENSION OF ANY COMMITTEE AND APPOINTMENT OF CARETAKER COMMITTEE

Am.
30 Sept 2001

78.1 The Central Working Committee may suspend any committee of the Party for conduct prejudicial to the Party pending investigations.

Am.
15 Oct 1998

78.2 The Central Working Committee may for the purpose of investigations and enquiries delegate its powers to the National Disciplinary Committee.

Am.
18 Oct 2014

78.3 In the event that any Branch, Division or State Liaison Committee is suspended under this Article, the Central Working Committee shall appoint from amongst the Party members a Chairman and committee members of a caretaker committee to administer the Branch, Division or State as the case may be, until such time as the suspension has been lifted or fresh elections are held as directed by the Central Committee.

Am.
30 Sept 2001

79. DELIVERY OF DOCUMENTS UPON DISSOLUTION OR SUSPENSION Am.
30 Sept 2001
- In the event of any dissolution or suspension carried out in accordance with Article 77 or 78, it shall be the responsibility of the Chairman, the Secretary and the Treasurer of the Branch, Division or State Liaison Committee concerned to deliver to the Secretary General or to his representative all books, records, monies and other properties in their possession, together with a Statement of Accounts from the date of the last audited Accounts to the date of the order of dissolution or suspension. Am.
30 Sept 2001
80. MEMBERS OF DISSOLVED BRANCHES OR DIVISIONS OR OF SUSPENDED COMMITTEES Am.
30 Sept 2001
- 80.1 Members of Branches or Divisions dissolved under Article 77(a), (b) or (c) may join another Branch, subject to the approval of the Central Working Committee. Add
30 Sept 2001
- 80.2 Any Branch or Division aggrieved by an order of dissolution or any committee aggrieved by an order of suspension by the Central Working Committee may appeal to the Central Committee in writing within 14 days of the receipt to such order. Notwithstanding such an appeal, the order of the Central Working Committee shall be operative until set aside. Am. (80)
30 Sept 2001
81. VOLUNTARY DISSOLUTION OF THE PARTY
- 81.1 The Party may voluntarily dissolve through a resolution passed by a two-thirds majority at a National Delegates' Conference specially convened for that purpose.
- 81.2 In the event of the Party 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 the National Delegates' Conference.

PART XVII FINANCIAL PROVISIONS

82. SOURCES OF INCOME
- The income of the Party shall be derived from the following sources :-
- a) subscriptions;
 - b) donations;
 - c) rentals from premises owned and let or leased out by the Party; and
 - d) such other sources as may be approved from time to time by the Central Committee.
83. UTILISATION OF FUNDS
- 83.1 The whole or part of all subscriptions or donations under Articles 82 may be apportioned and re-allocated by the Central Committee to the Branch, Division and/or State Liaison Committees in such manner and proportion as may be approved by the Central Committee from time to time.
- 83.2 Subject to the following provisions in this part the funds of the Party 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 they shall on no account be used to pay the fine of any member who may be convicted in a Court of Law.

84. MANAGEMENT OF PARTY FUNDS

84.1 The National Treasurer may hold a petty cash advance not exceeding RM1,000 at any one time. All money in excess of this sum shall within 7 days of receipt be deposited in a bank account approved by the Central Committee. The Bank account shall be in the name of the Party.

84.2 All cheques or withdrawal notices on the Party's account shall be signed jointly by the President or any other person duly authorized by him, the Secretary General and/or the National Treasurer. In the absence of the Secretary General or National Treasurer, the Central Committee shall appoint one of its members to sign in his place.

84.3 No expenditure exceeding RM5,000 at any one time shall be incurred without the prior sanction of the Central Working Committee. Expenditure below RM5,000 at any one time may be approved by the President, the Secretary General and the National Treasurer.

84.4 No fund shall be collected, held or expended by any Branch, Division or the State Committee without the written approval of the National Treasurer.

85. PUBLIC APPEALS FOR DONATIONS

No appeal to the public for any donation shall be made on behalf of the Party without the prior written sanction of the Central Working Committee. Collection of subscriptions and/or donations shall only be acknowledged by receipt issued by the National Treasurer or such person or persons duly authorized by him.

86. RULES FOR THE CONTROL OF FUNDS

The Central Committee shall have the power to make Rules in connection with the control, disposition and handling of monies, lands, buildings and other property of the Party at all levels of its organisation.

87. ANNUAL ACCOUNTS

As soon as possible after the end of each financial year a Statement of Income and Expenditure, Receipts and Payments and a Balance Sheet for the year shall be prepared and audited by the Auditors appointed under Article 88. The audited Accounts shall be submitted for the approval of the next National Delegates' Conference and copies shall be made available at the registered Secretariat of the Party and to members.

88. APPOINTMENT/DUTIES OF AUDITOR

88.1 The National Delegates' Conference shall appoint a qualified Accountant or a firm of accountants as a paid Auditor. The Auditor thus appointed shall hold his appointment until he resigns or until his appointment is otherwise terminated by the National Delegates' Conference.

88.2 The Auditor shall be required to audit the Accounts of the Party and to prepare a report or certificate annually for the National Delegates'

Conference. He may also be required by the President to audit the accounts of the Party for any period within his tenure of office at any date and to make a report to the Central Committee.

PART XVIII ASSETS

89. ASSETS

89.1 Unless otherwise expressly provided for in this Constitution, all assets of whatsoever nature of the Party shall be under the control of the Central Committee to be dealt with in such manner as it may decide. Am.
31 Jan 1997

89.2 All immovable properties of the Party shall be held in the name of Parti Gerakan Rakyat Malaysia.

89.3 Any lease, charge, debenture, mortgage, assignment, pledge or disposal of any of the immovable properties of the Party shall be invalid without the prior written consent of the Party Immovable Property Committee duly signed by all the members of the said Committee. Am.
31 Jan 1997

PART XIX CONSTITUTION AND RULES

90. RULES

90.1 The Rules of the Party shall be deemed to be part of this Constitution and accordingly shall have the same force and effect.

90.2 New Rules may be formulated when considered necessary and existing Rules may be amended or rescinded by a Resolution of the Central Committee.

90.3 The Rules of the Party on any matter pertaining to the Central Committee may be adopted with modifications if necessary to apply to a Branch Committee, a Division Committee or a State Liaison Committee.

90.4 Where no special provision has been made in these Articles for any matter relating to the management of the affairs of the Branch, Division and State organisations of the Party the relevant Article relating to the management of the national organisation shall be followed by the Branch, Division or State organisations insofar as it is applicable.

91. THE CONSTITUTION

91.1 This second substituted Constitution as approved by the National Delegates' Conference held on 30th and 31st July 1994 shall come into force from the date of approval by the Registrar of Societies.

91.2 On the coming into force of this Constitution, the first substituted Constitution adopted at the Delegates' Conference of the Party held on 14th January, 1973 together with all subsequent amendments shall automatically be deemed to have been repealed, but all acts legally done, performed or carried out under the first substituted Constitution and its subsequent amendments so repealed shall remain valid notwithstanding that such acts are inconsistent with the provisions of this second substituted Constitution.

91.3 In the event of any dispute and/of difficulty arising on the coming into force of this Constitution, such dispute and/or difficulty shall be resolved by the Central Committee whose decision shall be final and binding and shall not be challenged, appealed against, reviewed, quashed or called in question in any court on any ground regarding the validity of such decision.

92. AMENDMENT OF THE CONSTITUTION

92.1 Any member of the National Delegates' Conference seconded by another such member may propose to amend any article of this Constitution by giving notice in writing to the Secretary General not less than 14 days before the date of the meeting of the National Delegates' Conference. The Secretary General shall on receipt of such notice notify all the members of the National Delegates' Conference of such proposal and shall send copies of the proposed amendments to each member of the National Delegates' Conference not later than 7 days before the meeting. No such proposal shall be carried into effect unless it is passed by a majority of at least two thirds of the voting members present at the meeting.

Am.
30 Sept 2001

92.2 Any amendment to Article 10 or to Article 89.3 of this Constitution must also be approved by a majority of at least two thirds of the voting members of Life Members Council.

Am.
31 Jan 1997

92.3 Any amendment shall be submitted to the Registrar of Societies within 28 days of being passed by the National Delegates' Conference and shall take effect from the date of its approval by the Registrar of Societies.

PART XX MISCELLANEOUS PROVISIONS

93. LIMITATION OF PARTY LIABILITIES

The Party shall not be liable or responsible for any contract entered into or liability incurred in its name without the approval and authorization in writing of the Central Committee.

94. POWERS TO APPOINT AND TERMINATE APPOINTMENTS

Unless otherwise provided for in this Constitution where powers are conferred upon any person or body to appoint, such person or body shall also have the power to terminate such appointment in like manner.

95. SERVICE OF DOCUMENTS

Any document required by any Article in this Constitution or under any Rule made pursuant to the provisions of this Constitution to be sent to any member, or Branch, Division, State Liaison Committee or to any organisation affiliated to the Party, if delivered at or sent by ordinary or registered post to his or its address as shown in the relevant register kept at the Party Headquarters, shall be deemed to have been duly served.

96. PROHIBITIONS

96.1 Every officer performing executive functions in the Party and every adviser shall be Malaysian citizens.

96.2 (Deleted)

Am
29 Sept 2012

96.3 No person shall institute any proceeding in a court of law against the Party, its committee and / or member for any action taken pursuant to the Party's Constitution or Rules.

Add
29 Sept 2012

PART XXI INTERPRETATION

97. INTERPRETATION

97.1 Notwithstanding Article 13, a "Voting Member" shall be a member who, according to the qualifying register of membership as on the first of January of the year in which elections are held as certified by the Secretary General, has been a member for more than two (2) years and has on or before the 30th of June, preceding the year of elections, paid his subscriptions for the years at least up and including the year preceding the year of elections.

Am.
24 Oct 1997

97.2 "Party" shall mean Parti Gerakan Rakyat Malaysia or Malaysian People's Movement Party.

97.3 "Elections" shall mean the election of office bearers and delegates in any Branch, Division, State Delegates' Conference and the National Delegates' Conference held in accordance with the provisions of this Constitution.

97.4 "Office Bearers" shall mean a delegate to a Division, State Delegates' Conference and the National Delegates' Conference or a member of a committee.

Am.
24 Aug 2003

97.5 "A State" shall mean anyone of the States comprising Malaysia provided that the Federal Territories of the Capital of Kuala Lumpur, Labuan and Putrajaya shall be deemed to be a State.

Am.
24 Aug 2003

97.6 Words in the singular include plural and words in the masculine gender include the feminine gender where the context so admits.

97.7 "Member of Parliament" shall mean a member of either House of Parliament.

97.8 "Rules" shall mean also regulations and by-laws of the Party.

97.9 "To amend" shall also mean to add, repeal, substitute or alter.

97.10 "This Constitution" shall mean the English language version of the Constitution of the Party.