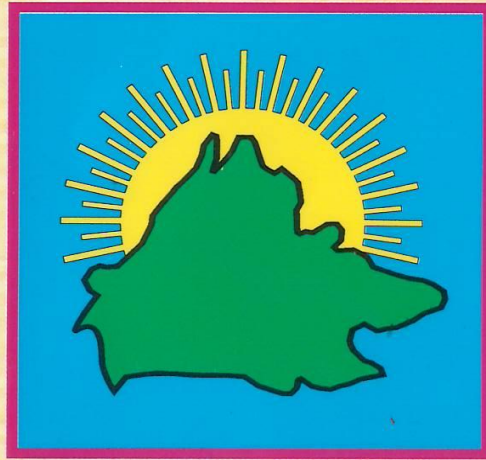


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SAPP

**THE CONSTITUTION
OF
SABAH PROGRESSIVE PARTY**

THE CONSTITUTION OF SABAH PROGRESSIVE PARTY

(With amendments approved as SAPP First
Congress [23rd July, 1994], Second Congress [26th August, 1995],
Fourth Congress [21st September, 1997],
Sixth Congress [4th September, 1999],
Eighth Congress [26th August, 2001], and
Eleventh Congress [21 August, 2004])
Fifteenth Congress [3hb Jun, 2012]

Published by
Sabah Progressive Party Headquarters,
2nd Floor, Lot 23, Bornion Centre, Luyang,
88300 Kota Kinabalu, Sabah, Malaysia.

2006

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CONSTITUTION OF
PARTI MAJU SABAH (PMS)
SABAH PROGRESSIVE PARTY (SAPP)

ARTICLE 1. NAME

The name of the organisation shall be “Parti Maju Sabah” [known in English language as Sabah Progressive Party (SAPP) hereinafter referred to as “the Party”].

ARTICLE 2. REGISTERED ADDRESS

PERMISSION TO CHANGE THE ADDRESS OF THE ESTABLISHMENT PARTY

Was transferred to :

Lot H1115, Lorong Kelengkeng 1,
Taman Antarabangsa Likas Park, Jalan Tuaran ,
88300 Kota Kinabalu, Sabah, Malaysia.

ARTICLE 3. SYMBOL AND FLAG

- (1) The symbol of the Party shall be the map of Sabah in green, with a sky blue background and a rising sun yellow in colour, enclosed in a square box with a purple border.

Colour scheme – Sky blue signifies the depth of vision, the yellow rising sun signifies the brightness of Sabah’s future in Malaysia. The green Sabah map signifies the beauty of the people, nature and the richness in resources. The purple border signifies the unity of Malaysians in Sabah.

- (2) The flag of the Party shall be the symbol enclosed in a rectangular area with seven red stripes on both sides of the symbol with white background.

ARTICLE 4. OBJECTS

The objects of the Party shall be as follows:-

- (1) To establish a democratic, responsible and fair government which is firm, decisive and disciplined;
- (2) To establish a fair, free and just society for all peoples irrespective of race, religion, creed or sex;
- (3) To protect, promote and safeguard the rights and interest and aspirations of the people of Sabah in the Federation of Malaysia;
- (4) To uphold and promote the principles of parliamentary democracy and the constitutional rights and civil liberties of all citizens;
- (5) To promote and protect the rights and interest of local natives and other citizens in Sabah and Malaysia;
- (6) To protect, preserve and promote the cultures and traditional customs of all the peoples of Sabah and Malaysia;
- (7) To uphold, protect and promote religious freedom in Sabah and Malaysia;
- (8) To promote harmony, understanding, goodwill and unity among all the peoples of Sabah and Malaysia with the spirit of self-reliance, endeavour and co-operation;
- (9) To promote the economic, social, cultural, educational and political development of the peoples of Sabah and Malaysia;
- (10) To co-operate or affiliate with any political organization or party in any part of Malaysia with similar objects and principles in order to attain further such objects and principles;
- (11) To do all such acts and things not stipulated in these Articles in the interests of the Party.

ARTICLE 5. MEMBERSHIP

(1) Qualifications for membership

Membership of the Party shall be open to all Malaysian citizens who are at least eighteen years of age, irrespective of race, religion, creed or sex, and who is not a member of any other political party, and who subscribe to the objectives of the Party.

(2) Application for membership

(a) Any person who wishes to become member of the Party shall apply to the Supreme Council by way of a prescribed form and in accordance with the rules, regulations and procedures as the Supreme Council may prescribe from time to time;

(b) The Supreme Council may at its sole discretion reject any application without assigning any reason;

(c) In any area where a Branch has already been established, a member residing or working in that area shall be attached to that Branch unless otherwise approved by the Secretary-General;

(d) In any area where there is no Branch in existence yet, members residing or working in that area shall be attached to any Branch as the Secretary-General may direct; and

(e) No member of a Branch shall be a member of any other Branch at any one time. The transfer of membership from one Branch to another Branch may be allowed with the written consent of the Secretary-General.

(3) Entrance and Subscription Fees

(a) The entrance fee into the Party shall be RM2.00;

- (b) The annual subscription fee shall be RM1.00 ending on 31 December each year or part of a year;
- (c) The entrance fee and the subscription fee for the current year shall be submitted to the Party at the time of applying for membership;
- (d) All annual subscription fees shall be paid in advance on or before 1 January each year. Any member whose annual subscription is in arrears shall be denied the rights and privileges of membership;
- (e) Members shall pay their annual subscription to their respective Branches; and the Branches shall respectively account for the annual subscription so collected as may be directed by the Supreme Council.

(4) Life Membership

- (a) A member shall become a Life Member on payment of a contribution of a sum prescribed by the Supreme Council from time to time of not less than RM100.00 and such member shall be exempted from the payment of the annual subscription prescribed under Article 5(3)(b);
- (b) All rules and provisions governing membership including that of discipline under Article 13 shall equally apply to a Life Member.

(5) Rights of Members

- (a) Every applicant accepted into the party shall be issued a membership card;
- (b) Unless otherwise provided for in the Constitution, and as long as the member has not ceased to be a member for any reason, a member shall be entitled:
 - (i) To attend and speak at all meetings which he is entitled to attend;
 - (ii) To vote at all meetings which he is entitled to attend;
 - (iii) To hold office in the Party to which he may be duly elected or appointed;

- (iv) To have access to and make such reasonable use of facilities as the Party may provide.

(6) Resignation of Members

A member may resign his membership by giving one month's notice in writing to the Secretary-General. Any member resigning his membership shall surrender his membership card to the Party.

ARTICLE 6. DELEGATES CONFERENCE

- (1) (a) A Biennial Delegates Conference shall be convened once every two years. The Biennial Delegates Conference during which Party General Election is held shall be called General Congress;
- (b) Subject to the provisions of the Constitution, the supreme authority of the Party shall be the Delegates Conference. All executive functions shall be exercised under the general authority of the Delegates Conference.
- (2) The duties, responsibilities and powers of the Delegates Conference shall be to:
 - (a) determine Party policies;
 - (b) Supervise the work and activities of the Supreme Council;
 - (c) To elect the Permanent Chairman and two (2) Deputy Permanent Chairmen of the Delegates Conference;
 - (d) Subject to Article 7(2) and 19(1), to elect the Supreme Council;
 - (e) To amend the Constitution as it shall deem fit and proper;
 - (f) To regulate its own proceedings, direct, manage, control and deal in anyway it deems fit, the affairs of the Party;
 - (g) To delegate with or without power to sub-delegate, all or any of its

powers except the power to amend the Constitution, provided that any power so delegated shall lapse at the following Biennial Delegates Conference unless the delegation has been renewed at the Biennial Delegates Conference; and

- (h) To deal with all matters pertaining to the Party not specifically stipulated or provided for in these provisions.
- (3) The Biennial Delegates Conference shall transact the following business:
- (a) To confirm the minutes of the last Biennial Delegates Conference and, if any, the minutes of the preceding Extraordinary Delegates Conference;
 - (b) To receive reports from the Supreme Council as presented by the Secretary-General, reporting the Party's activities, progress and development for the previous two years;
 - (c) To receive the Financial Report for the previous two years as presented by the Treasurer-General;
 - (d) To appoint auditors for the ensuing two years;
 - (e) To deliberate and, if deemed fit, to decide on any motion submitted either by the Supreme Council or the Youth or Wanita Liaison Committee or any branch;
 - (f) To elect the Permanent Chairman and two (2) Deputy Permanent Chairmen of the Delegates Conference who shall hold office until the next Party General Election for office bearers; and
 - (g) Subject to Article 7 (2) and 19 (1), to elect the Supreme Council once in every four years.
- (3A) The Biennial Delegates Conference shall be held not later than the month of September unless otherwise decided by the President. A preliminary notice of the Biennial Delegates Conference stating the date, time and place of meeting, calling for motions for debate during the Congress,

shall be sent by the Secretary-General to all branch secretaries not later than forty-five (45) days before the date fixed for the Congress. Every branch secretary shall convene the Branch Annual General Meeting not later than twenty-one (21) days before the date fixed for the Biennial Delegates Conference.

(3B) The name of delegates, motion for discussions and other proposals shall be sent by the branch secretaries to the Secretary-General immediately after convening the Branch Annual General Meeting.

(3C) The Secretary-General shall forward to all branch secretaries the agenda of the Biennial Delegates Conference, together with the minutes of the last Biennial Delegates Conference and the audited accounts of the Party for the previous two years at least ten (10) days before the date fixed for the Biennial Delegates Conference.

(4) An Extraordinary Delegates Conference may be held at any time:

(a) If directed by the Party President; or

(b) If requested in writing by at least one-third of the Supreme Council members, stating the reasons for calling the Extraordinary Delegates Conference:

Provided that thirty (30) days notice of the date, time and place of the Extraordinary Delegates Conference shall be given to all delegates;

Provided that, in case of urgency, the President may sign a certificate of urgency, in which case at least seven days' notice need to be given to delegates; and

Provided further that any notice of less than seven days shall not invalidate the proceedings of any Extraordinary Delegates Conference if non-compliance with this article is ratified by a resolution of not less than half of all eligible delegates whether attending or not.

(5) The quorum for all Biennial Delegates Conference and Extraordinary Delegates Conference shall be half of the eligible delegates whose name have been submitted by their respective branches.

- (6) If one hour after the time fixed for the Biennial Delegates Conference a quorum is not present, then the Conference shall be postponed to a date not exceeding fourteen days (14) to be decided by the President, and if a quorum is still not present one hour after the time fixed for the postponed Conference, the delegates present have the power to proceed with the agenda but the Conference shall not have the power to amend the Constitution.
- (7) In the case of an Extraordinary Delegates Conference, if there is no quorum, the Conference shall be called again for the same purpose until the lapse of at least three months from the date thereof.
- (8) The Biennial Delegates Conference shall consist of:
- (a) Members of the Supreme Council;
 - (b) Members of the State Legislative Assembly, Dewan Rakyat and Dewan Negara;
 - (c) The Chairman of each Branch, who is not a member of the Supreme Council, member of the State Legislative Assembly, Houses of Parliament. For removal of doubt, if the Chairman of the Branch is unable to be present for any reason whatsoever, no member may attend on his behalf;
 - (d) Delegates shall be duly elected by ballot by the Branch Annual General Meeting as follows:-
 - (i) For Branches with 50 to 100 members - One delegate and thereafter one additional delegate for every 50 members up to a maximum of 4 delegates; and
 - (ii) The Branch Chairman shall not count as one of the delegates under this category;
 - (e) Twenty (20) delegates appointed by the Wanita Liaison Committee, by majority ballot; and

- (f) Twenty (20) delegates appointed by the Youth Liaison Committee, by majority ballot.
- (9) The Extraordinary Delegates Conference shall consist of the same delegates as that of the last preceding Biennial Delegates Conference.
- (10) The Biennial Delegates Conference and the Extraordinary Delegates Conference may dismiss any elected or appointed member of the Supreme Council by a two-thirds majority.

ARTICLE 7. SUPREME COUNCIL

- (1) There shall be established a Supreme Council.
- (2) The Supreme Council shall consist of the following members:-
 - (a) The President
 - (b) Three Deputy Presidents
 - (c) Six Vice-Presidents to be elected by the General Congress
 - (d) Two Vice Presidents to be appointed by the Supreme Council
 - (e) One Vice-President, who shall be the Leader of the Wanita Movement
 - (f) One Vice-President, who shall be the Leader of the Youth Movement
 - (g) The Secretary-General
 - (h) One Assistant Secretary-General
 - (i) The Treasurer-General
 - (j) One Assistant Treasurer-General
 - (k) The Organising Secretary
 - (l) One Assistant Organising Secretary
 - (m) The Information Chief
 - (n) One Assistant Information Chief
 - (o) Supreme Councillors, as follows:
 - (i) Fifteen Supreme Councillors to be elected by the General Congress;
 - (ii) Three Supreme Councillors to be appointed by the Supreme Council.

The officials listed in (g), (h), (i), (j), (k), (l), (m), and (n) are to be appointed by the President.

(2A) Subject to Article 19(1) of this Constitution, the names of candidate for election to the office referred to in paragraph (a), (b), (c) and (o) (i) of Clause (2) above shall be proposed by at least one Branch and seconded by another Branch at the Branch Annual General Meeting (during election year). Provided that the Supreme Council shall have the power from the time to time to decide on the number of Branches required to nominate the candidates as it deems appropriate.

Election shall be by a simple majority vote of the delegates at the General Congress.

(2B) The leaders of the Wanita Movement and the Youth Movement referred to in paragraphs (e) and (f) of Clause (2) above shall be appointed by the Supreme Council in accordance with Article 10 and 11 of this Constitution.

(3) The duties and powers of the Supreme Council are as follows:-

- (a) The Supreme Council shall be responsible for the general administration of the Party.
- (b) The Supreme Council shall have the duties and the powers to formulate policies, programmes, and such other matters as it deems fit.
- (c) The Supreme Council may recommend members for any political appointments to the Government, statutory bodies, government agencies or such other organisations or bodies as may be appropriate.
- (d) The Supreme Council shall, either on its own or by delegating its authority to any officer or committee under its purview, select the Party's candidates to contest in any State or Parliamentary Elections or any other Elections as may be appropriate.
- (e) The Supreme Council shall have the power to decide, act on, supervise or deal with any matters in connection with any elections, or such other matters as may affect the Party.

- (f) The Supreme Council shall have the power to make decisions on the Party's relations with any other legal organisation in Malaysia, either on matter of co-operation, affiliation or other mutually beneficial relationship, not inconsistent with the provisions of the Constitution.
- (g) The Supreme Council shall have the power to appoint:
 - (i) The Chairman and other members of all the Constituency Liaison Committees, as constituted under Article 9 hereof;
 - (ii) The Chairman and other members of the Wanita Liaison Committees, as constituted under Article 10 hereof;
 - (iii) The Chairman and other members of the Youth Liaison Committees, as constituted under Article 11 hereof;
 - (iv) The Chairman and other members of any Ad-Hoc, Standing, Steering or such other committee as may be deemed necessary for any specific or general purpose or objective; and
 - (v) The Chairman and other members of any Zone Committee, or a committee by any other name, to co-ordinate and supervise the functioning and activities of one or more Constituency Liaison Committees.
- (h) The Supreme Council shall be the approving authority in respect of the formation, establishment and recognition of any Branch of the Party, as constituted under Article 12 hereof.
- (i) The Supreme Council shall supervise and direct the general administration of the Executive Committee, Constituency Liaison Committee, Zone Committee, the Wanita Liaison Committee, the Youth Liaison Committee and all the branches, including the power to make rules, regulations and by-laws relating to the functioning of the above said committees or branch as the case may be.

(j) [i] The Supreme Council shall make such Standing Orders, rules, regulations and by-laws as may be necessary for the proper functioning of the Party and its machinery and administration, including the power to make such Standing Order, rules, regulations and by-laws for the proper conduct of elections of office-bearers to the Party, the branches and the Supreme Council.

[ii] The Supreme Council is empowered to draw up the Code of Ethics for Members which among other things shall prohibit the abuse of power and money to secure votes, support, or influence for personal advantage or on behalf of other members or to prevent other members from voting or being voted in any party election.

(k) Subject to Clause (j) above, the Supreme Council shall appoint not less than three and not more than seven members of the Party to constitute the Ad-Hoc Election Committee to supervise and oversee the election of office-bearers of the Supreme Council. Such members may be appointed from among the Honorary Presidents and Advisors or any other members with good repute, independence and credibility, provided that the members of this Ad-Hoc Election Committee shall not be eligible for election to Supreme Council the election of which the Committee is supervising and overseeing.

(l) The Supreme Council shall implement the provisions of this Constitution and the Standing Orders, rules, regulations or such other by-laws, and policies and programmes of the Party; and to ensure compliance with such Standing Orders, rules, regulations and by-laws and Party policies and programmes; and may take all necessary actions and steps to ensure compliance, including the power to suspend any member of the Party, or suspending or dissolving by the Supreme Council, any branch of the Party.

(m) The Supreme Council may take such other measures, steps, or actions not specifically stipulated in this Constitution, for the general well-being of the Party.

- (4) The Supreme Council shall meet at least once every three months, or when directed by the President or on the written requisition of at least one-half of the serving members of the Supreme Council. Unless otherwise decided by the President in cases of urgency, seven days' notice shall be given to members for Supreme Council meetings, provided that non-compliance with this provision shall not invalidate the proceedings of the meeting if non-compliance with this provision is ratified by a resolution of not less than half of the serving members of the Supreme council, whether attending or not.
- (5) One half of the serving members of the Supreme Council shall constitute a quorum.
- (6) A member of the Supreme Council may resign his office in writing to the President, who shall table the resignation to the Supreme Council at the following Supreme Council meeting. In the case of resignation of an elected member, the Supreme Council may then appoint another member to fill any resulting vacancy in the Supreme Council.
- (7a) In the event of any elected member ceasing to hold office for whatever reason such as by resignation, by operation of law, by removal or death or other causes, the Supreme Council shall have the power to appoint another member to fill the resulting vacancy.
- (7b) In the event of any appointed member ceasing to hold office for whatever reason such as by resignation, by operation of law, by removal or death or other causes, the President may make an appointment to fill any resulting vacancy.
- (8) In the event that two-thirds or more of the Supreme Council shall have effectively resigned, the remaining members of the Supreme Council shall continue to administer the Party until an Extraordinary Delegates Conference has been called to elect a new Supreme Council.

(9) The functions of the officials of the Supreme Council shall be as follows:-

- (a) The President shall be the Chief Executive Officer and shall be responsible for the day to day administration of the Party.
- (b) The Deputy Presidents shall assist generally the President in the President's functions, and one of the Deputy Presidents shall be appointed by the Supreme Council in the absence of the President.
- (c) The Vice-President shall assist generally the President and the Deputy Presidents in their functions, and shall perform such other duties as directed by the President or the Supreme Council.
- (d) The Secretary-General shall conduct the administrative activities of the Party, including the taking of minutes of meetings, submission of returns and accounts and such other documents are required by the Societies Act 1966 to the Registrar of Societies and generally to ensure the compliance with the provisions of the Societies Act 1966 and of the Constitution. The Secretary-General shall oversee the proper functioning of the Branches. The Secretary-General shall present Biennial report of the Party's progress and development at each Biennial Delegates Conference.
- (e) The Assistant Secretary-General shall assist generally the Secretary-General in the performance of the duties of the Secretary-General.
- (f) The Treasurer-General shall be responsible for the proper accounting and financial management of the Party. The Treasurer-General shall present an audited financial report at each Biennial Delegates Conference.
- (g) The Assistant Treasurer-General shall assist the Treasurer-General in the performance of the functions of the Treasurer-General.
- (h) The Organising Secretary shall be responsible for organising political and leadership training for members and to ensure the smooth functioning and performance of such activities.

- (i) The Assistant Organising Secretary shall assist generally the Organising Secretary in the performance of the duties of the Organising Secretary.
 - (j) The Information Chief shall conduct the publicity and press relations of the Party and ensure the dissemination of information to the general public for the well-being of the Party. The Information Chief may organise information seminars, conferences or such other activities as may be necessary to achieve the aforesaid objectives.
 - (k) The Assistant Information Chief shall assist generally the Information Chief in the performance of the functions of the Information Chief.
 - (l) The other Supreme Council members shall assist in the administration of the Party and may be assigned with any specific duties as may be determined by the President or the Supreme Council.
- (10) All officials of the Party, every officer carrying on the administration of the Party and every advisor of the Party shall be citizens of Malaysia.
- (11) Every official of the Party shall be qualified to be eligible to hold posts in the committees or bodies of the Party.

ARTICLE 8. EXECUTIVE COMMITTEE

- (1) There shall be established an Executive Committee consisting of the President, the Deputy Presidents, the leader of the Wanita Movement, the leader of the Youth Movement, the Secretary-General, the Treasurer-General, the Organising Secretary, the Information Chief and two to seven other members of the Supreme Council to be appointed by the President.
- (2) The Executive Committee shall meet at least once a month with at least two days' notice to members of the Executive Committee. One half of its members shall constitute a quorum.

- (3) The Executive Committee shall be responsible for the administration of the Party headquarters, and may prepare the necessary reports, recommendations, proposals or any other matter to the Supreme Council for deliberation and decision.
- (4) The Executive Committee shall execute and implement the decisions of the Supreme Council and the General Congress.

ARTICLE 9. CONSTITUENCY LIAISON COMMITTEES AND THEIR DUTIES AND POWERS

- (1) There shall be established a Constituency Liaison Committee in any State Legislative Assembly Constituency and the Federal Territory of Labuan Parliamentary Constituency, as the Supreme Council may think fit.
- (2) The Constituency Liaison Committee shall be responsible for the coordination of the running of the political and other legitimate activities of the Party within the Constituency.
- (3) The Chairman and the members of the Constituency Liaison Committee shall be appointed by the Supreme Council.
- (4) The Standing Order, rules, regulations and by-laws governing the functioning of the Constituency Liaison Committees and its administration, be it financial or otherwise, shall be determined by the Supreme Council.
- (5) For a Constituency Liaison Committee to be set up in a Constituency there must be least three branches in the Constituency concerned.

ARTICLE 10. WANITA LIAISON COMMITTEE AND ITS DUTIES AND POWER

- (1) There shall be established at the State-level a Wanita Liaison Committee.
- (2) The Wanita Liaison Committee shall be responsible for running the affairs of the women's movement and to ensure the political development of

women. The Committee shall also plan and implement any programmes and policies of the party for the well-being of the Wanita Movement and the Party.

- (3) The Chairperson and other members of the Wanita Liaison Committee shall be appointed by the Supreme Council.
- (4) The Standing Orders, rules, regulations and by-laws governing the functioning of the Wanita Liaison Committee and its administration, be it financial or otherwise, shall be determined by the Supreme Council.
- (5) The Supreme Council, on the advice of the Wanita Liaison Committee, may make Standing Orders, rules, regulations or by-laws to govern the functioning of other committees at the Constituency or other levels relating to the Wanita Movement.

ARTICLE 11. YOUTH LIAISON COMMITTEE

- (1) There shall be established at the State-level a Youth Liaison Committee.
- (2) The Youth Liaison Committee shall be responsible for running the affairs of the youth movement and to ensure the political development of young people. The Committee shall also plan and implement any programme and policy of the Party for the well-being of the Youth Movement and the Party.
- (3) The Chairperson and other members of the Youth Liaison Committee shall be appointed by the Supreme Council.
- (4) The Standing Orders, rules, regulations and by-laws governing the functioning of the Youth Liaison Committee and its administration, be it financial or otherwise, shall be determined by the Supreme Council.
- (5) The Supreme Council, on the advice of the Youth Liaison Committee, may make Standing orders, rules, regulations or by-laws to govern the functioning of other committee at the Constituency or other levels relating to the Youth Movement.

ARTICLE 12. ESTABLISHMENT OF BRANCHES

- (1) There shall be established a Branch in every polling district or in any other geographical locality as may be approved by the Supreme Council.
- (2) The Constituency Liaison Committee may make recommendations as to the establishment of branches.
- (3) A Branch shall have not less than fifty (50) members.
- (4) There shall be a maximum of only one Branch for every three hundred (300) registered voters in the State Constituency based on the latest available electoral rolls issued by the Election Commission.
- (5) The Supreme Council may dissolve a Branch if the membership in the Branch concerned is below the minimum fifty (50) for three consecutive months, or if the Branch fails to abide by the policies and decisions and Standing Orders, rules, regulations or by-laws of the Party, or if the Branch Committee acts in anyway detrimental to the interests of the Party.

ARTICLE 12A. BRANCH ANNUAL GENERAL MEETING

- (1) The Branch Annual General Meeting shall be held not later than twenty-one (21) days before the date fixed for the Biennial Delegates Conference [Refer ART.6(3A)]. In the year in which no General Congress or Biennial Delegates Conference is held, the Branch Annual General Meeting shall be held on a date not later than the month of September or any other date as shall be fixed by the Supreme Council.
- (2) The Branch Secretary shall notify all Branch members about the date of the convening of the Branch Annual General Meeting. Such notice must be sent not later than fourteen (14) days before any such meeting is held.

(3) The Branch Annual General Meeting shall transact the following business:

- (a) to receive reports of the previous year on the activities of the Branch;
- (b) to receive reports of the previous year on the financial accounts of the Branch;
- (c) subject to Article 12(1) and 19(1) to elect the Branch Committee once in every four (4) years;
- (d) to appoint two (2) internal auditors in accordance with Article 15(2);
- (e) to elect delegate/s to Biennial Delegates Conference in accordance with Article 6(8)(d); and
- (f) to discuss any other business.

(4) An extraordinary meeting of the Branch may be held at any time:

- (a) if directed by the Branch chairman; or
- (b) if requested in writing by at least one half of the members of the Branch Committee; or
- (c) if requested in writing by at least one-third of the members of the Branch; or
- (d) if directed by the Supreme Council.

(5) The request in Paragraphs (b) and (c) of Clause (4) of this Article, must set out the full reasons for making the request giving at least twenty-one (21) days' notice in writing to the Branch Secretary and specifying the date and time of the meeting and the agenda for discussion.

- (6) The quorum for the Branch Annual General Meeting and Branch Extraordinary Meeting shall be twenty-five (25) members of the Branch.
- (7) If one hour after the time fixed for the Branch Annual General Meeting a quorum is not constituted, then the Branch Annual General Meeting shall be postponed to the same day of the next week; and if a quorum is still not present one hour after the time fixed for the postponed meeting, then the members attending shall have the power to proceed with the Agenda for the meeting.
- (8) In the case of Branch Extraordinary Meeting if there is no quorum, the Branch Extraordinary Meeting shall not be called again for the same purpose until the lapse of at least three (3) months from the date thereof.

ARTICLE 12B. THE BRANCH COMMITTEE

(1) The Branch Committee shall consist of:

- (a) The Chairman;
 - (b) The Deputy Chairman;
 - (c) The Secretary;
 - (d) The Treasurer;
 - (e) Not more than three (3) ordinary members to be elected by the Branch General Meeting; and
 - (f) Not more than two (2) ordinary Committee members to be appointed by the Branch Chairman after consultation with the Branch Committee.
- (2a) The Branch Secretary and the Branch Treasurer and the two (2) ordinary Committee members under Clause (1)(f) hereof shall be appointed by the Branch Chairman after consultation with the Branch Committee. All other members of the Branch Committee shall be elected once in every four years by the Branch Annual General Meeting in which such elections are held in accordance with the provisions of Article 19(2) of this Constitution.
- (2b) If the Branch Chairman shall cease to hold office by reason of resignation, death or removal or whatever, then the Deputy Chairman shall act in that office until a new Chairman shall be elected at the next Branch Annual General Meeting.

- (2c) In the event of the members of the Branch Committee other than members mentioned under Paragraph (c), (d) and (f) of Clause 1 above ceasing to hold office by reason of resignation, death or removal or whatever, the Branch Committee shall have the power to appoint any member of the Branch to fill the resulting vacancy until the next Branch Annual General Meeting.
- (3) The Branch Committee shall meet at least once every month and also when requested by the Branch Chairman or on the written application of at least one-third of the Branch Committee. Seven (7) days' notice shall be given to all the Committee members about the holding of any such meeting.
- (4) One half of the Committee members present shall form a quorum.
- (5) At any meeting the Branch Committee, if the Branch Chairman or Deputy Chairman, shall be absent, the members present shall elect one of themselves to preside at the meeting.
- (6) Duties of Branch Office-bearers:
- (a) The Chairman shall during his term of office preside at all General and Committee meetings and shall be responsible for their proper conduct. He shall have a casting vote and shall sign the minutes of each meeting at the time they are approved;
 - (b) The Deputy Chairman shall deputize for the Chairman during the latter's absence;
 - (c) The Secretary shall conduct the business of the Branch in accordance with the Rules of the Party and shall carry out the instructions of the General Meeting and of the Committee. He shall be responsible for conducting all correspondence and keeping all books, documents and papers except the accounts and financial records. He shall attend all meetings, and record the proceedings. He shall also maintain a membership register of all the Branch members;
 - (d) The Treasurer shall be responsible for the finances of the Branch. He shall keep accounts of all its financial transactions and shall be

responsible for their correctness. All cheques shall be signed on behalf of the Branch by the Treasurer and countersigned by the Secretary or the Chairman.

ARTICLE 12C. DUTIES AND RESPONSIBILITIES OR THE BRANCH COMMITTEE

The duties and responsibilities of the Branch shall be:

- (1) to co-operate with any party or organisation on political or other matters which are not inconsistent with this Constitution;
- (2) to recommend to the Supreme Council the removal of any member of the Committee found to be shirking from his responsibilities;
- (3) to lay before the Branch Annual General Meeting, a report on the activities of the Branch during the previous year together with a Statement of Accounts duly audited and passed;
- (4) to send to every member a copy of the Annual Report and Statement of Accounts at least fourteen (14) days before the date fixed for the Branch Annual General Meeting;
- (5) to propose to the Branch Annual General Meeting any amendment to this Constitution. Such proposals, if approved by the Branch Annual General Meeting, shall be forwarded to the Supreme Council;
- (6) to carry out such directives or activities as may be directed by the Supreme Council from time to time; and
- (7) to enforce the provisions of this Constitution and the Party's discipline and to take such steps as may be necessary in order to bring them into effect.

ARTICLE 13. DISCIPLINARY BOARD

- (1) There shall be established a Disciplinary Board to handle matters of discipline among members.
- (2) The Disciplinary Board shall consist of five members to be appointed by the Supreme Council, provided that the members of the Disciplinary Board shall not be eligible for election to the Supreme Council at the following Party Elections but may be appointed to hold any post in the Party.
- (3) The Disciplinary Board shall have the power to reprimand and to suspend any member, and may also recommend to the Supreme Council the expulsion of or such other action against any member, who has been in breach of party discipline or in violation of the provisions of the Code of Ethics for members, or has behaved in any way that is detrimental to the interest of the Party. Provided that before any action is taken or recommendation made by the Disciplinary Board against any member, the Disciplinary Board shall hold a hearing of the complaint against him and give the member an opportunity to defend or explain himself.
- (4) The Supreme Council shall have the power to expel any member from the Party based on the recommendation of the Disciplinary Board.
- (5) The President shall have the power, if he considers that immediate action is desirable in the interest of the Party, to suspend any member of the Party if the President is satisfied that the member concerned has breached discipline or acted in violation of the provisions of the Code of Ethics for Members or has behaved in any way detrimental to the interest of the Party. The President shall then report the suspension and the reason thereof to the Disciplinary Board for such action to be taken against the member concerned as the Disciplinary Board shall decide.
- (6) A member aggrieved by the decision of the Disciplinary Board may within fourteen (14) days from the date of such decision, appeal to the Supreme Council whose decision shall be final.

- (7) A member who is expelled shall forfeit his rights and privileges as a member and shall have no claim on the party, and a member who has been suspended shall have his rights and privileges suspended. In the case of any other forms of action decided by the Disciplinary Board or the Supreme Council, the rights and privileges of the member may be reduced accordingly to an extent determined by the Disciplinary Board or the Supreme Council, as the case may be.

ARTICLE 13A. VIOLATION OF THE PROVISIONS OF THE CONSTITUTION OR CODE OF ETHICS

Any member who violates the provisions of this Constitution or Code of Ethics for Members can be subjected to the following penalties:

- (a) Warning;
- (b) Suspension;
- (c) Barred from appointment to or contesting for any Party post;
- (d) Expulsion from the Party; and
- (e) Other punishments deemed appropriate and in line with this Constitution.

ARTICLE 14. FINANCIAL PROVISIONS

- (1) The Financial Year shall be from 1 January to the 31 December of each calender year.
- (2) The Branches shall submit to the Treasurer-General their respective Annual Statement of Accounts in a format to be issued by the Treasurer-General.
- (3) All party monies, other than petty cash, shall be kept in a Bank or other recognised financial institutions in the name of the Party, or in the case of Branches, in the name of the Branch concerned.

- (4) The signatories of the account at a Bank or other financial institutions shall be:

Either one of the President or Deputy Presidents or the Secretary-General and the Treasurer-General provided that if the Treasurer-General is not available, the Treasurer-General may authorise in writing the Assistant Treasurer-General to sign on his behalf.

- (5) In the event of any Branch being dissolved, all monies, documents and other properties of the Branch shall be vested in the Supreme Council in the name of the Party.
- (6) The Party may, by way of a resolution of the same Supreme Council, borrow money whether in the form of bank loans or otherwise for such purpose as the Party may consider it in the interest of the Party.
- (7) Subject to the provisions hereinbefore stipulated in this Article, the Supreme Council may make rules and regulations to ensure the proper financial management of the Party.
- (8) The Supreme Council shall be the sole authority in deciding the expenditures of the Party, including the expenses of its administration, the payments of salaries or allowances to paid staff and the audit of its accounts.

ARTICLE 15. AUDITORS

- (1) The Biennial Delegates Conference shall appoint a qualified firm of public accountants to audit the financial accounts of the Party.
- (2) The Branch Annual General Meeting shall appoint two members from within the Branch to be internal auditors of the branch who shall conduct the audit of the annual financial accounts.
- (3) The Supreme Council may make rules and regulations governing the keeping of accounts and proper financial management of the Branches.

ARTICLE 16. TRUSTEES

- (1) There shall be a Board of Trustees consisting of the serving President and

four other members to be appointed by the General Congress every four years.

(2) The four appointed Trustees shall hold office until death, resignation or removal from office by the General Congress for whatever reason. Should any Trustees cease to hold office for whatever reason, then the following General Congress shall appoint a new Trustee in which case, the term of this new Trustee shall lapse upon the expiry of the remainder of the term of the other remaining Trustees.

(3) The Party or any of the Branches may acquire land, building and other property either through purchase, donation or other legitimate means. All lands and buildings owned by the Party or the Branches shall be vested in the Party and held in trust by the Trustees of the Party, and any disposal of any land or building of the Party shall require the decision of the Supreme Council and the signatures of at least three of the Trustees.

ARTICLE 17. COUNCIL OF ADVISORS

(1) The Supreme Council shall establish a Council of Advisors consisting of not less than three and not more than fifteen persons who may not be members of the Party.

(2) The Council of Advisors may, on their own accord or when requested to do so by the President, offer non-binding advice to the President or the Supreme Council on any matter concerning the Party.

(3) The Council of Advisors shall be either senior members of the Party who do not hold any other post whatsoever in the Party or, in the case of non-members, shall be senior members of the community or society, or such other individuals who possess special knowledge, experience or professional standing that can be of contribution towards the well-being of the Party and the development of the State and country.

(4) The term of office of Advisors shall be concurrent with that of the Supreme Council.

ARTICLE 18. HONORARY PRESIDENTS

- (1) The Supreme Council may, by an unanimous decision, confer on members who have rendered meritorious service or contribution to the Party the title of 'Honorary President'.
- (2) The status of Honorary Presidents shall be permanent and may be revoked only if such Honorary President has consistently over a period of time acted to the detriment of the Party, provided that any decision to revoke such status shall require the unanimous decision of all Supreme Council members present at a duly constituted meeting.

ARTICLE 19. TERM OF OFFICE

- (1) The term of office of office-bearers shall be four (4) years commencing from the date of the election of office-bearers concerned. The terms of office of any office bearer who has been elected to hold office between general elections shall also expire on the following election even though he might have held office for less than four (4) years.
- (2) The General Congress and the Branch Annual General Meeting shall hold a general election for their respective office-bearer in accordance with the provisions of this Constitution and any Standing Orders, rules, regulations and by-laws of the Party once every four (4) years.
- (3) In the case of a Branch Committee which has been elected for less than four (4) years before a General Congress, the Branch concerned shall also have an election of the Branch Committee in the year in which there is an election of the Supreme Council.

ARTICLE 20. AMENDMENT OF CONSTITUTION

- (1) The Constitution or any part thereof may be amended in any manner by a resolution of at least two-thirds of the number of the delegates attending and present at a Delegates Conference.

- (2) Any motion or proposal to amend the Constitution shall be submitted to the Secretary-General and must comply with other provisions of this Constitution and any relevant Standing Orders, rules, regulations or by-laws. Any amendment to the Constitution shall take effect only on the date of approval by the Registrar of Societies.

ARTICLE 21. MISCELLANEOUS PROVISIONS

- (1) In the event of any dispute on the interpretation, construction and meaning of the Articles of this Constitution, or any provision, word or words thereof, the interpretation, construction and meaning determined by the Supreme Council shall be final until and unless otherwise determined by a resolution of any Delegates Conference.
- (2) All notices, correspondences and other matters left at or addressed by post to the last registered address of the member shall be deemed to have been duly served.
- (3) Where the words "Delegates Conference" appear, it means either the General Congress, Biennial Delegates Conference and/or Extraordinary Delegates Conference as the context may determine.
- (4) The Honorary Presidents, Advisors, Honorary Members and the four Trustees (other than the President) and the Permanent Chairman of the Delegates Conference shall be accorded the status of Very Important Persons (VIPs) and shall be given such recognition and protocol during the party's activities and functions as may be befitting for VIPs.

ARTICLE 22. DISSOLUTION

- (1) The Party may be voluntarily dissolved by the resolution of not less than three-fourths of the total number of delegates at a Delegates Conference specially convened for that purpose.

- (2) In the event of the Party being so dissolved, all debts and liabilities legally incurred shall be discharged to the best ability of the Party, and any surplus funds or other properties shall be disposed of in such manner as may be decided upon by the Delegates Conference.

YONG TECK LEE

President

RICHARD YONG WE KONG

Secretary-General

CODE OF ETHICS FOR MEMBERS OF SAPP

1. LOYALTY

All members must love their Party and:-

- 1.1 Obey the Constitution and the members' Code of Ethics;
- 1.2 Obey the Party's orders;
- 1.3 Carry out the Party's policies;
- 1.4 Comply with and respect the Party's decisions;
- 1.5 Safeguard the Party's secrets;
- 1.6 Uphold the Party's good name;
- 1.7 Always show good and disciplined conduct.

2. ABUSE OF POWER AND MONEY

- 2.1 Party members are forbidden to abuse whatever power they hold for the purpose of securing votes or support or to influence the course of any election in the Party on their own behalf or on behalf of others, or to ensure that votes are not cast for any particular person in a Party election.
- 2.2 Party members are forbidden to give or receive any rewards, gifts, or valuable returns in any way or in any form whatsoever for the purpose of securing votes or support, or to lead or influence in any Party elections either on their own behalf or on behalf of others, or to ensure that votes are not cast for any particular persons in any Party election.
- 2.3 The Supreme Council has the power to determine from time to time the form and type of abuse of power, money and so on as stated in paragraphs 2.1 and 2.2 above.

3. USE OF FORCE AND THREATS

Party members are forbidden to use any force or duress or obstruction or to cause or threaten to cause any injury, damage or loss or to use intimidation in whatever form on anybody for the purpose of, or in order to force vote to be cast or not be cast for anybody in any Party election.

4. DEFAMATION

Party members are forbidden, either directly or through other parties, to make defamatory remarks of each other, to spread false information, to attack or to denigrate other party members in whatever form, either by printed form such as anonymous letters or through paid writer, or in the form of video recordings, to tarnish the character, or to topple a party member or leader.

5. PUNISHMENT

Anyone found guilty of breaching this Code of Ethics may be punished under Article 13A of the Constitution.

6. AMENDMENT

The Supreme Council is empowered to amend this Code of Ethics from time to time.

