

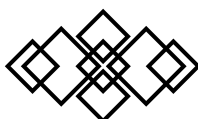


**PERSATUAN PENILAI, PENGURUS HARTA, EJEN
HARTA & PERUNDING HARTA SWASTA MALAYSIA**

*(Association of Valuers, Property Managers, Estate Agents & Property
Consultants in the Private Sector Malaysia)*

CONSTITUTION

**Approved by the Registrar of Society (ROS)
7th May 2024**



PERLEMBAGAAN BAGI

PERTUBUHAN INDUK

**PERSATUAN PENILAI, PENGURUS HARTA, EJEN HARTA & PERUNDING HARTA SWASTA
MALAYSIA**

(PPM-002-10-21081984)

CLAUSE 1 NAME

1.1. The Association shall be known as

PERSATUAN PENILAI, PENGURUS HARTA, EJEN HARTA & PERUNDING HARTA SWASTA MALAYSIA (ASSOCIATION OF VALUERS, PROPERTY MANAGERS, ESTATE AGENTS AND PROPERTY CONSULTANTS IN THE PRIVATE SECTOR, MALAYSIA) (PEPS)

Hereinafter referred to as “the Association”.

1.2. Level: National

CLAUSE 2 REGISTERED AND POSTAL ADDRESS

2.1. The registered address and the postal address of the Association is at follows:

Unit No. P-2-7, BLOCK P, PLAZA DAMAS,
NO. 60, JALAN SRI HARTAMAS 1,
SRI HARTAMAS, 50480 KUALA LUMPUR
WILAYAH PERSEKUTUAN.

2.2. The registered and postal address of the Association may be changed from time to time as and when necessary.

CLAUSE 3 AIMS AND OBJECTIVES

3.1. To promote the professions of Valuers, Property Managers, Estate Agents and Property Consultants in the private sector in Malaysia.

3.2. To enhance and uphold the integrity of the professions of Valuers, Property Managers, Estate Agents and Property Consultants and the objectives of The Royal Institution of Surveyors, Malaysia and the Board of Valuers, Appraisers, Estate Agents & Property Managers, Malaysia.

3.3. To promote the development of the profession of the Members through active participations of the activities and programs of The Royal Institution of Surveyors, Malaysia and The Board of Valuers, Appraisers, Estate Agents and Property Managers, Malaysia.

3.4. To provide a forum for the promotion of common cause and the business interests of the Members.

3.5. To foster, maintain and preserve the integrity and status of the Members, to sustain honourable practice, to promote good ethics and strict observance of the Code of Ethics and the Code of Professional Conduct prescribed by the Association.

3.6. To promote, research and encourage the Members to keep abreast with latest developments relating to the practice of valuation, property management, estate agency and property consultancy generally or other subjects related to the professions.

3.7. To maintain and keep an up-to-date list and profile of the Members.

3.8. To acquire, IT software sponsor, promote, organise, conduct, manage, finance or participate in exhibitions, trade fairs, stands or displays or other commercial ventures which promote the objectives of the Association whether as principal or jointly in partnership with any person, company or association.

3.9. To acquire or lease immovable properties.

3.10. To enter into strategic partnership with third party or to incorporate a company in furtherance of the objectives of the Association.

3.11. To set up and maintain panels of arbitrators, mediators and adjudicators for disputes resolution in the areas of Valuation, Property Management, and Estate Agency and Property Consultancy and to nominate and appoint members who are qualified to act as arbitrators, mediators and adjudicators.

CLAUSE 4 MEMBERSHIP

4.1. The membership of the Association shall consist of the following classes:-

- a) Graduate Member
- b) Ordinary Member (Individual)
- c) Ordinary Member (Firm)
- d) Fellow
- e) Honorary Fellow

Members may be issued with Certificate of Membership. Such Certificates are the property of the Association.

All members who are natural persons must attain the minimum age of 18 years who are either citizens or non-citizen of Malaysia.

4.2. QUALIFICATION OF MEMBERSHIP

Any person or firm wishing to become a Member shall satisfy the following conditions:-

4.2.1. Graduate Member

(a) An individual person who is not registered with BOVAEP under Clause 4.2.1. may become a Graduate Member and must possess an academic qualification duly recognised by the Association and BOVAEP.

(b) The Association shall from time-to-time update and maintain a list of academic qualifications duly recognised and for this purpose.

(c) A Graduate Member shall NOT have the right of voting at all general meetings and shall NOT be eligible to be elected as a member of the Executive Committee of the Association.

4.2.2. Ordinary Member (Individual)

(a) He must either be a Registered Valuer and Property Consultant, a Registered Property Manager, a Registered Estate Agent of a firm of Registered Valuer and Property Consultants, a firm of Registered Property Managers or a firm of Registered Estate Agents.

4.2.3. Ordinary Member (Firm)

(a) A Firm must be practising Valuation or Estate Agency or Property Management duly registered and licensed to practise by BOVAEP.

(b) A Firm shall nominate one of its partners or shareholders as their representative who is authorised to exercise the rights with regard to the membership of the Association. This representative may be substituted or replaced by the Firm at any time by a notification in writing to the Association. The representatives must be registered and licensed to practise by BOVAEP.

(c) A Firm shall, through its appointed representative, exercise the right of voting at all general meetings and its authorised representative shall be eligible to be elected as a member of the Executive Committee of the Association.

4.2.4. Fellow

A Fellow must:-

(a) be at least forty (40) years of age;

(b) possess or acquired practical knowledge either in the areas of valuation or property management or estate agency practice; and

(c) be an Ordinary Individual Member of the Association for a minimum period of ten (10) continuous years;

(d) "Fellow" membership is conferred by the Association by way of invitation and elevation at the absolute discretion of the Association.

(e) "Fellow" membership is confined exclusively for Ordinary Individual Member stated in Clause 4.3(i) and shall not be opened to other categories of membership.

(f) Upon the conferment and acceptance of "Fellow" membership, the Ordinary Individual Membership shall cease.

(g) A "Fellow" shall have the right of voting at all general meetings and shall be eligible to be elected as a member of the Executive Committee.

4.2.5. Honorary Fellow

(a) The Association may at its absolute discretion confer the membership of "Honorary Fellow" to any distinguished individual who have achieved excellence, eminence or prominence in their careers of valuation, estate agency or property management in Malaysia.

(b) The honorary membership shall be for life. The Association shall be at liberty to cancel, terminate or withdraw the conferred membership at any time without notice and without assigning any reason for the cancellation.

(c) An Honorary Fellow shall have no right of voting and shall not be eligible to be elected as a member of the Executive Committee.

4.3. APPLICATION FOR MEMBERSHIP

(a) Any individual person or Firm desirous of becoming a member of the Association shall submit an application to the Association in the prescribed form.

(b) The Executive Committee shall at its absolute discretion approve or reject the application without assigning any reason and the decision of the Executive Committee shall be final and conclusive.

(c) Upon the approval of the application, a member shall pay the prescribed annual subscription imposed by the Association for the current year.

(d) All annual subscriptions are due and payable on the 1st day of January of each year and must be paid before the 31st day of March of that year. In default, membership may be terminated and the rights and privileges of the member be suspended.

(e) If the annual subscription of a member remains in arrears until 30th day of April of that year, the membership may be terminated by the Executive Committee upon due notice.

(f) An application for renewal of membership after termination shall be treated as

fresh application for new membership.

4.4. RIGHTS AND PRIVILEGES OF MEMBERS

(a) Members of the Association are entitled to participate in all activities organised by the Association including the rights to hold office and to vote at all General Meetings of the Association subject to and in accordance to the provisions stipulated in 4.3 hereof.

(b) For the purpose stated above, any member whose name is registered in the Register of Members one (1) month before the General Meeting shall, subject to the provisions in Clause 4.3, be entitled to attend and vote at all General Meetings, except for those classified under Clause 4.2.2.

(c) Further, a member whose annual subscription is in arrears thirty (30) days before the General Meeting may attend but shall not be eligible to vote at that General Meeting notwithstanding that the membership has yet to be terminated under Clause 4.3 (e) hereof.

(d) Every Member shall be entitled to use after his or her name the initial "MPEPS" (Member of the Persatuan Penilai, Pengurus Harta, Ejen Harta dan Perunding Harta Swasta Malaysia).

(e) Every Fellow shall be entitled to use after his or her name the initial "FPEPS" (Fellow of the Persatuan Penilai, Pengurus Harta, Ejen Harta dan Perunding Harta Swasta Malaysia).

CLAUSE 5 **RESIGNATION & TERMINATION**

5.1. RESIGNATION

(a) A member may resign by sending a letter of resignation to the Association;

(b) Subject to the provisions of Clause 25, the resignation will take effect from the date of acceptance by the Executive Committee;

(c) All subscriptions and other levies remaining unpaid at the date of resignation shall be immediately due and payable by the outgoing member.

5.2. TERMINATION

(a) The Executive Committee may terminate the membership of a member in accordance to the provisions stated in Clause 25 hereof.

CLAUSE 6 **ENTRANCE FEES, SUBSCRIPTIONS AND LEVIES**

6.1. The entrance fee and annual subscription payable by a Member shall be as follows:-

Entrance Fee & Annual Subscription
Graduate Member RM10.00 & RM50.00
Member (Individual) RM10.00 & RM100.00
Member (Firm) RM20.00 & RM200.00
Fellow RM200.00 (subscription only)
Honorary Fellow Nil

The entrance fee and annual subscription payable by a Member shall be decided and determined or revised by the Executive Committee from time to time subject to the rectification at a General Meeting.

6.2. The Association at its General Meeting shall be empowered to approve a levy or levies on any member and such levies shall not exceed the annual subscription.

6.3. A Member who fails to pay a levy within one (1) month from the date of receipt of the notice issued by the Association shall be prohibited from taking part in any of the activities organised by the Association.

6.4. Notwithstanding the provisions of Clause 6.1 hereof where a Fellow or a Member (Individual or Graduate) who has: -

(a) been a member for a continuous period of 15 years; and

(b) has attained the age of 65 years and above.

6.5. The Executive Committee may upon the receipt of a written application from such Fellow or Member, exempt him from further payment of the annual subscription or any other levies.

CLAUSE 7 DELEGATES MEETING

7.1. The financial year of the Association shall end on the 31 December of each year.

7.2. The general meetings of the Association shall be the Annual General Meeting ("AGM") and the Extraordinary General Meeting ("EGM"). Members present at the general meetings shall elect amongst themselves a Chairman to preside over such meetings.

7.2A The general meetings (AGM and EGM) of the Association can be held physically in buildings or virtually via on-line as the Association deems fit and proper.

7.3. At a general meeting, the quorum shall be one half (1/2) of the total membership or twice the number of the Executive Committee members (whichever is the lesser) present in persons or by proxy.

7.4. The AGM shall be held in the month of May at a venue and time as the Executive Committee shall determine PROVIDED ALWAYS that the Executive Committee shall have the discretion and power to postpone the AGM for a period not more than three (3) months from 31st May.

7.5. Notice of the AGM shall be sent to all members together with the agenda, audited account and minutes of the previous AGM not less than twenty-one (21) days before the AGM via post or through any electronic devices.

7.6. The business of the AGM shall be: -

(a) To consider and deliberate the audited account and the annual budget prepared by the Executive Committee;

(b) To elect the President, Vice-President, Honorary Secretary, Honorary Treasurer and other members of the Executive Committee;

(c) To appoint an Auditor;

(d) To consider and deliberate any other matters tabled by the Executive Committee;

(e) To consider and deliberate any resolution or motion tabled by any member of which seven (7) day prior notice shall have been given to the Honorary Secretary.

7.7. The Executive Committee shall determine and regulate the business, agenda and proceedings of all General Meetings as they deem fit and proper.

7.8. An Extraordinary General Meeting ("EGM") shall be convened:-

(a) If it is decided and deemed necessary by the Executive Committee

7.9. The Executive Committee may summon an Extraordinary General Meeting for purpose other than that as specified under Clause 20 on any occasion when the Executive Committee may deem it necessary. Such an Extraordinary General Meeting shall also be called on a requisition in writing of not less than 10% of the number of membership. The requisition shall specify the purpose for which meeting is demanded, and it shall be duty of the Executive Committee to summon an Extraordinary General Meeting for such purpose within three (3) calendar months from the date of the receipt of the requisition by the Secretary. The quorum for the EGM shall be the same as that specified in Clause 7.3 hereof. Notice of EGM of not less than fourteen (14) days together with the agenda shall be issued by the Executive Committee to all the members of the Association.

7.10. In the absence of a quorum at the appointed time of the meeting, the President or Vice-President and in their absence two Committee Members, may defer the General Meeting to a later date specifying the time and place. At such a deferred meeting any number of members present shall have power to proceed with the business of the day but shall not have the power to alter the rules of the Association or to make decision affecting the whole membership.

7.11. Any matter that requires a decision at a General Meeting shall be decided by show of hands unless a vote by ballot is demanded by not less than one quarter (1/4) of the members present either personally or through proxies at the meeting and who are eligible to vote.

7.12. Each member shall be entitled to one (1) vote and must vote in person or by his appointed proxy.

7.13. In the case of an equality of votes, whether on a show of hands or by ballot, the presiding Chairman shall be entitled to a casting vote.

7.14. PROXY

(a) An instrument appointing a proxy, by any Member of the Association, shall be in writing and in the form prescribed by the Executive Committee:-

i) under the hand of the Member making the appointment or his attorney and may be either general or for a particular meeting;

ii) if the member appointing the proxy is a Company or Firm, either under the hands of an officer or its attorney duly authorised.

(b) An instrument appointing a proxy if made under the hands of an attorney shall be accompanied with a copy of the Power of Attorney.

(c) The instrument appointing a proxy shall be deemed to confer an authority to vote by show of hands or demand or joining in demanding a vote by ballot.

(d) The instrument appointing a proxy shall be valid for one (1) general meeting or for its adjourned meeting.

(e) The instrument appointing the proxy must be deposited at the registered office of the Association not less than forty-eight (48) hours before the time for holding the meeting failing which the proxy shall not be entitled to attend or vote.

(f) A member may act as proxies for a maximum of five (5) members at any one meeting.

(g) A proxy is NOT allowed to vote in Electronic Voting or Postal Voting.

(h) A member duly appointed as a proxy if entitled to vote otherwise as a proxy, may also vote in his own right.

(i) For the avoidance of any doubt, a proxy cannot exercise a vote in relation to a matter if the member who appoints the proxy is exercising personally a power to vote on the matter.

(j) For the avoidance of any doubt, the duty and function of a proxy is to vote. A proxy is not eligible to stand for election and be elected as an office bearer of the

Association.

(k) A proxy must be a registered member of the Association.

CLAUSE 8 EXECUTIVE COMMITTEE AND ELECTION

8.1. There shall be an Executive Committee of the Association.

8.2. The Executive Committee shall manage, control and regulate the affairs of the Association and to implement the objects of the Association.

8.3. Members of The Executive Committee shall be elected at the Annual General Meeting.

8.3A. Formation of An Election Committee:-

(i) There shall be established an Election Committee consisting of a Chairman and two (2) Committee Members who shall be appointed by the Executive Committee for a term of one (1) year. The Chairman and the said two (2) Committee Members shall be appointed from among the members of the Association as the Executive Committee shall deem fit.

(ii) The duties and function of the Election Committee are to conduct, supervise, control and regulate the affairs and process of the election of the office bearers prior to or during the Annual General Meeting. Subject to the approval of the Executive Committee, the Election Committee shall have the powers to make rules and regulations relating to members' right to voting, voting methods and procedures, qualifications and nomination of candidates, disqualification and such other matters related therein.

(iii) The result of the Electronic and or Postal voting shall be declared final and binding at the Annual General Meeting.

8.3B. In addition to the balloting by show of hands or by ballot, the Executive Committee, may through the Election Committee be empowered to conduct the election of the office bearers by way of balloting through Electronic Voting and/or Postal Voting after the closing of the nomination date but before the Annual General Meeting in the manner determined and prescribed by the Election Committee.

(a) Electronic Voting or E-Voting

(i) Electronic Voting or E-Voting shall be allowed through the Association's Web Portal or any other duly authorised URL addresses as directed by the Election Committee.

(ii) Balloting via E-Voting is only available to the members voting directly and not through their proxies.

(iii) Members who have opted to vote through E-Voting are not allowed to vote and shall not appoint proxies to vote on the date of Annual General Meeting.

(iv) All the rules and regulations regarding the electoral process of E-Voting shall be in the manner prescribed by the Election Committee.

(b) Postal Voting

(i) Balloting through Postal Voting shall be allowed as an additional method in the electoral process as and when the Election Committee deems it right and necessary. If so decided, the Election Committee shall prescribe the rules and regulations pertaining to the execution and implementation of the Postal Voting process.

8.4. Election of Members of The Executive Committee: -

(a) The elected members of the Executive Committee shall hold office for a term of two (2) years and shall consist of the following office bearers: -

(i) Four (4) principal officers:

- 1) The President;
- 2) The Vice-President;
- 3) The Honorary Secretary; and
- 4) The Honorary Treasurer

(ii) Twelve (12) Ordinary Committee Members. Not more than two (2) of those elected in (ii) shall be practicing in the same Firm of Partnership.

(b) Out of the twelve (12) elected Ordinary Committee Members, at least two (2) of the elected members shall be below the age of 45 at the time of the election.

(c) In the event that there are no candidates who are eligible for the two (2) posts stated in Clause 8.4(b) above, the said posts shall be left vacant.

(d) The President and at least seventy percent (70%) of the Ordinary Committee Members referred to in Clause 8.4(a) shall be Registered Valuers.

(e) The immediate Past President shall be an Ex-officio member of the Executive Committee.

(f) In addition to the above, the Executive Committee may appoint not more than four (4) additional members from the Board of Valuers, Appraisers, Estate Agents & Property Managers, Malaysia who are members of the Association and who are not already elected as members of the Executive Committee.

8.5. Members of the Executive Committee shall hold office for a term of two (2) years and shall be eligible for re-election at the expiry of the term of office.

8.6. An Executive Committee member who absents himself from three (3) consecutive committee meetings without the leave in writing of the Executive Committee may be removed as a member of Executive Committee by a majority vote cast at the Executive Committee meeting.

8.7. Where a vacancy in the membership of the Executive Committee occurs, the remaining committee members may appoint another member to fill up the vacancy until the next AGM.

8.8. The quorum for Executive Committee meetings shall be one-half (1/2) of the total numbers of Executive Committee members. In the absence of the President or the Vice President, the committee members present shall elect from among them a chairman to preside the meeting.

8.9. The Executive Committee may appoint and form sub-committees from time to time for specific purposes. The membership of such sub-committees may be extended to non-Executive Committee member.

8.10. The Executive Committee shall meet as often as the business of the Association may require but at least once in every three (3) months.

8.11. All matters and decisions shall be decided by a majority vote in the Executive Committee meetings by a show of hands or by secret ballots. In the event of equality of vote, the presiding chairman shall have a casting vote.

8.12. The Executive Committee shall have power to reinstate the membership of a member who has been expelled, terminated or suspended subject to such terms and conditions as may be imposed by the Executive Committee.

CLAUSE 9 DUTIES OF OFFICE BEARERS

9.1. The President

(a) It shall be the duty of the President to chair all General Meetings and the Executive Committee meetings of the Association.

9.2. The Vice-President

(a) The Vice-President shall deputise the President and shall in the absence of the President, chair all General and Executive committee meetings.

9.3. The Honorary Secretary

(a) The Honorary Secretary shall execute and implement the decisions of the General Meetings and the Executive Committee Meetings. He shall be responsible for the safe-keeping of all the official documents of the Association including all correspondence, membership register and such other official records.

(b) He shall record minutes of all committee meetings and general meetings and attend to the general administration of the Association including filing of the annual returns within sixty (60) days from the date of the Annual General Meeting to the Registrar of Societies.

9.4. The Honorary Treasurer

(a) The Honorary Treasurer shall be responsible for the financial administration of the Association and shall keep all accounting records of its financial transactions. He shall prepare the annual budget for deliberation and adoption in the AGM.

(b) He shall execute all cheques on behalf of the Association together with other office bearers and shall manage and maintain proper records of all banking accounts of the Association.

(c) He shall also be responsible for the preparation of audited account at the end of the financial year for adoption in the AGM.

9.5. The Immediate Past President

(a) The Immediate Past President shall serve on the Executive Committee as an Ex- officio.

9.6. The Ordinary Executive Committee Members

(a) The Ordinary Committee Members shall carry out such duties as directed by the President or the Executive Committee from time to time.

CLAUSE 10 FINANCIAL PROVISIONS

10.1. The Executive Committee shall cause proper books of account to be kept with respect to:-

(a) all sums of money received and expended by the Association;

(b) the assets and liabilities of the Association;

(c) the books of account shall be kept at the office of the Association or at such other place or places as the Executive Committee shall direct;

(d) to prepare the financial report for adoption at AGM;

(e) the Honorary Auditors shall examine and sign the annual accounts after they have been audited by the Professional Auditor appointed by the Association;

(f) A copy of the audited report prepared by the appointed Professional Auditor shall be prominently displayed at the office of the Association and copies of it shall be sent to all members together with the notice of AGM.

10.2. Financial Control

(a) All income and monies received by the Association shall be applied solely towards the furtherance, promotions and execution of the objects and activities of the Association and for the funding of all administrative and operational costs and expenses.

(b) The Honorary Treasurer may maintain a petty cash not exceeding Ringgit Malaysia Two Thousand (RM2,000) only. All money in excess of this sum shall be deposited into the Association's Bank Account within seven (7) days from the date of receipt of the payments.

(c) All cheques drawn on the Association's Bank Accounts shall be signed jointly by the Honorary Treasurer and any one of the following office bearers, namely, either the President or the Vice-President or the Honorary Secretary. The Executive Committee shall add, alter or replace any of the above said signatories from time to time as and when necessary.

(d) The Executive Committee shall decide and formulate the internal rules, procedures and guidelines relating to the controls, limits and approvals of expenditure allowable by the office bearers.

(e) Any single expenditure in excess or above RM50,000/- (Ringgit Malaysia Fifty Thousand only) shall be expended only with the members' approval in a General Meeting.

CLAUSE 11 **AUDITORS**

11.1. Appointment of Auditors:-

(a) At each Annual General Meeting, the Association may appoint a Professional Auditor and two (2) Honorary Auditors who shall hold office until the conclusion of the next Annual General Meeting.

(b) The Executive Committee may fill the vacancy of the office of Professional Auditor and Honorary Auditors pending the next AGM.

(c) A Professional Auditor must be a qualified practicing accountant registered with the relevant professional body recognised by the laws of Malaysia. The Honorary Auditors shall be appointed from amongst the members.

(d) The Executive Committee shall allow the access to the books and accounts of the Association by the Professional Auditor for the purpose of conducting an audit and preparing the audited report.

CLAUSE 12 **REGISTRATION OF IMMOVABLE PROPERTY**

12.1. The immovable properties of the Association shall be registered in the name of the Association in accordance to the legislative provisions and requirements of the Societies Act 1966 and all instruments of registration shall be executed by the principal office bearers duly validated by the Registrar of Societies and under the seal of the Association.

12.2. The Association shall not sell, lease, charge or otherwise deal with the immovable properties belonging to the Association unless it is approved by the members in General Meeting.

CLAUSE 13 DISSOLUTION OF THE ASSOCIATION

13.1. The Association shall be dissolved by a resolution in General Meeting approved by two-third (2/3) of the members present voting either personally or through proxies.

13.2. A special General Meeting shall be convened to debate and vote for or against the dissolution and the quorum for the General Meeting to dissolve the Association shall be three fifths (3/5) of the existing members of the Association present personally or through their proxies.

13.3. Upon the dissolution of the Association any funds and/or assets of the Association may be disposed off and be distributed to all members in the manner as decided at the General Meeting.

13.4. Notice of the dissolution shall be sent and be made known to the Registrar of Societies within fourteen (14) days from the date of dissolution.

CLAUSE 14 ESTABLISHMENT AND DISSOLUTION OF BRANCHES

14.1. The Executive Committee may by a majority vote taken at a committee meeting approve the formation of a Branch in areas where there are twenty (20) or more voting members of the Association.

14.2. The Executive Committee may dissolve a Branch:-

(a) If for a continuous period of six (6) months the membership of the Branch falls below twenty (20); or

(b) If the Branch infringes the rules and regulations of the Association or the decisions of the Executive Committee; or

(c) if in the opinion of the Executive Committee the Branch is guilty of conducts deemed detrimental to the interests of the Association.

14.3. A decision to dissolve a Branch shall be made by a majority vote at a meeting of the Executive Committee provided that before a decision is taken, the Branch

concerned shall be given a thirty (30) day “show cause” notice before the committee meeting and be given the opportunity to answer the allegations, if any.

14.4. The order of dissolution shall be signed by the Honorary Secretary and shall be served on the Registrar of Societies.

(a) Upon the receipt of such order, the Branch concerned shall cease to function except for the purpose of winding-up.

(b) Any Branch aggrieved by an order of dissolution may, by a notice in writing addressed to the Honorary Secretary within thirty (30) days from the date of the said order, lodge an appeal to the General Meeting.

(c) Notwithstanding the appeal, the order of dissolution shall be operative until it is set aside.

(d) Pending the hearing and disposal of the appeal, the Executive Committee may appoint from among its members a caretaker committee to handle the affairs of the Branch.

14.5. In the event of the Branch being dissolved for the reason stated in Clause 14.2 (a), the Executive Committee shall transfer the members of the said Branch to the nearest Branch. In the event of a Branch being dissolved for reasons stated in Clause 14.2 (b) and (c), the members of that Branch shall cease to be members of the Association.

14.6. Upon the dissolution of the Branch, the Branch Chairman, the Branch Secretary and the Branch Treasurer shall jointly be responsible to handover and deliver to the Honorary Secretary all books, financial statements and records, money and other properties or assets belonging to the Branch within thirty (30) days from the date of dissolution.

14.7. The formation and establishment of Branches is subject to the approval of the Registrar of Societies.

CLAUSE 15 CREATION OF BRANCH MEMBERSHIP REGISTER

15.1. The Branch shall create a Branch Membership Register (“BMR”) containing the records of all the members of the Branch.

15.2 For the avoidance of doubts, only the members of the Branch whose names are registered in the BMR are entitled to attend the Branch AGM or general meetings and be eligible to be elected as members of the Branch Committee.

CLAUSE 16 GENERAL MEETING OF THE BRANCH

16.1. All general meetings of the Branch shall be attended only by the members of

the Branch and each member shall have the right to vote and be eligible to be elected as members of the Branch Committee.

16.2. The Annual General Meeting (“AGM”) of the Branch shall be held thirty (30) days before the AGM of the Association and notice of Branch AGM shall be sent to members of the Branch not less than fourteen (14) days before the AGM.

16.3. The business of the Branch AGM shall be:-

- (a) To deliberate and adopt the audited accounts;
- (b) To elect members of the Branch Committee and to appoint auditors; and
- (c) To discuss and adopt resolutions and other matters duly tabled before it.

16.4. An Extraordinary General Meeting (“EGM”) for the Branch shall be convened:-

- (a) Upon the instruction of the Executive Committee; or
- (b) As and when the Branch Committee shall direct; or
- (c) By a Notice of requisition signed by at least ten (10) members of the Branch stating the purpose and agenda for the EGM.

16.5. An EGM for the Branch requisitioned by members shall be held not later than thirty (30) days from the date of receipt of the Notice of Requisition. A notice of the EGM of not less than fourteen (14) days shall be sent to all members of the Branch and the Honorary Secretary of the Association.

16.6. The quorum for the general meetings shall be at least one half (1/2) of the members of the Branch or twice the number of the Branch committee members, whichever is the lower, present at the meeting personally or through proxy.

CLAUSE 17 ELECTION OF BRANCH COMMITTEE

17.1. Members of the Branch Committee shall be elected at the Branch Annual General Meeting (“AGM”) consisting the following office bearers:-

- (a) Branch Chairman
- (b) Branch Vice-Chairman
- (c) Branch Secretary
- (d) Branch Treasurer
- (e) Three (3) Ordinary Committee Members

17.2. Voting at AGM shall be by show of hands or by ballots. The elected office bearers shall hold office for a period of two (2) years and shall be eligible for re-election at the next AGM. Election of Branch office bearers can also be conducted through Electronic Voting and/or Postal Voting in accordance to the provisions

stated in Clause 8.3 B (a) and (b) hereof.

17.3. The Branch Committee shall manage and regulate the affairs of the Branch in accordance with the Constitution of the Association and the instructions of the Executive Committee. It shall meet at least once every three (3) months and one half (1/2) of the Committee Members shall form the quorum. The Branch Secretary shall forward a copy of the minutes of the meeting to the Honorary Secretary of the Association not later than fourteen (14) days after each committee meeting.

CLAUSE 18 DUTIES OF BRANCH OFFICE BEARERS

18.1. The provisions stated in Clause 9 relating to the "Duties of Office Bearers" shall apply mutatis mutandis to the Branch and be followed in so far as it is applicable.

CLAUSE 19 FINANCIAL PROVISIONS ON BRANCH

19.1. All funds accumulated by the Branch shall be the common asset of the Association.

19.2. The Executive Committee of the Association shall decide from time to time the percentage of subscriptions to be held by the Branch as Branch funds.

19.3. The Branch Treasurer shall forward to the Honorary Treasurer of the Association the annual subscriptions received by the Branch less the percentage to be retained together with the statement of account and records of payment.

19.4. The funds accumulated by the Branch shall be deposited into a bank account maintained by the Branch and the bank account shall be operated jointly by the Branch Chairman, the Branch Secretary and the Branch Treasurer.

19.5. The Branch Treasurer may hold a petty cash not exceeding Ringgit Malaysia One Thousand (RM1,000) only.

CLAUSE 20 GENERAL PROVISIONS REGARDING BRANCH

20.1. Where no special provisions or rules has been provided herein relating to the management of the affairs of the Branch, the relevant Rules governing the management of the Association shall apply mutatis mutandis and be followed in so far as it is applicable.

20.2. The Executive Committee of the Association may, from time to time provide and issue directives, guidelines and/or instructions to assist the Branch Committee in the management of its affairs.

CLAUSE 21 AMENDMENTS OF THE CONSTITUTION

21.1. Any repeal or addition or amendment to the Constitution of the Association must be approved by two thirds (2/3) of the members present at the General Meeting voting either personally or through proxies in favour of that resolution.

21.2. Any amendment to the provisions of Clause 8.4 (d) of the Constitution shall, in addition to the requirement stated in Clause 20.1 above, be approved by at least one half (1/2) of the Registered Valuers who are members of the Association voting in favour of that resolution in a separate ballot conducted at the same time.

21.3. The approved amendments shall be forwarded to the Registrar of Societies within thirty (30) days from the date of approval and shall take effect only upon the approval of the Registrar of Societies.

CLAUSE 22 INTERPRETATION

22.1. In the event of occurrence of any conflict, variance or ambiguities in the interpretation and/or application of any Rules in this Constitution, the Executive Committee's interpretations shall be final and conclusive.

CLAUSE 23 PROHIBITIONS

23.1. The Association shall not indulge or allow its premises to be used for any immoral or illegal activities.

23.2. All forms of betting, gambling and gaming are strictly prohibited at the premises of the Association.

23.3. The Association shall not hold any lottery, whether or not confined to its members, in the name of the Association or its office bearers.

23.4. The Association shall not indulge in any political activity or allow its funds and/or premises to be used for political purposes.

CLAUSE 24 FLAG, SYMBOL AND BADGE

24.1. Flag

Description: NIL

24.2. Symbol

Description:

PEPS is the acronym for "Persatuan Penilai, Pengurus Harta, Ejen Harta &

Perunding Harta Swasta Malaysia”.

The gold colour symbolises wealth and success. The shape that enclosed the word "PEPS" denotes close unity among PEPS members and the double lining of the shape depicts the bonding between members.

The 8 cornered shape means good fortune for PEPS members.

24.3. Badge

Description: NIL

CLAUSE 25 CODE OF PROFESSIONAL CONDUCT

25.1. Every member shall uphold the dignity, integrity and reputation of his profession;

25.2. Every member shall observe and adhere to the rules and the Code of Ethics or Conducts prescribed by the Board of Valuers, Appraisers, Estate Agents & Property Managers, Malaysia.

CLAUSE 26 DISCIPLINARY POWERS OF THE EXECUTIVE COMMITTEE

26.1. The Executive Committee shall have the powers to initiate and commence disciplinary actions or proceedings against any member who:-

- (i) is in breach of any of the provision of the Constitution or rules of the Association;
- (ii) has committed professional misconducts and violated the Code of Professional Ethics;
- (iii) in the opinion of the Executive Committee, the member has acted in a manner “prejudicial to the interests of the Association” or has engaged in “scandalous, immoral and illegal activities damaging the reputation or goodwill of the Association”.

26.2. Disciplinary Procedures:-

- (i) The Executive Committee shall establish a Disciplinary Committee consisting a chairman and four (4) committee members to conduct all disciplinary proceedings under Clause 25 hereof.
- (ii) The Disciplinary Committee shall have the powers to formulate rules of procedures regulating the disposal of the disciplinary process as the committee shall deem fit and proper.

26.3. Decisions and Penalties:-

(i) At the conclusion of the disciplinary proceedings, the Disciplinary Committee shall have the power to impose one or more of the following decisions or penalties;

(ii) Admonishment; or

(iii) Suspension of membership for a specific period; or

(iv) Expulsion and termination of membership; or

(v) Imposition of a fine not exceeding RM1,000; or

(vi) Such other penalties as the committee shall deem fit and proper.

(vii) Any member who is aggrieved or dissatisfied with the decision of the Disciplinary Committee shall appeal to the Executive Committee within thirty (30) days from the date of notification of the decision.

(viii) On appeal, the decision of the Executive Committee shall be final and conclusive.

CLAUSE 27 PERMANENT ADMINISTRATIVE

27.1. The Executive Committee may appoint an Executive Secretary and such other staff as may be necessary for the smooth and proper administration of the Association and their scope of duties shall be determined by the Executive Committee and be reviewed from time to time.

LAMPIRAN

1. Bendera
 -
 - Keterangan
 -
2. Lambang



- Keterangan
-
3. Lencana
 -
 - Keterangan
 -

PEPS

