

**RULES AND ARTICLES OF
THE ASSOCIATION OF
KWONG TONG CEMETERY MANAGEMENT
KUALA LUMPUR**

Article 1

1. The name of the Association shall be known as Persatuan Pengurusan Perkuburan Kwong Tong Kuala Lumpur(The Association of Kwong Tung Cemetery Management Kuala Lumpur) herewith referred to as the Association.
2. The objectives of this Association shall be as follows:-
 - a) to arrange for the burial and related affairs of Malaysian Chinese of Kwong Tong and Hainan province origins and for the beautification, development and improvement of temples, memorial halls, funeral parlours and other burial related buildings;
 - b) to manage, develop and maintain the Association real properties and other lands including the following gazetted burial grounds, as to which the Association had been fully authorized by the Government to manage, develop and maintain, namely:

Within Section 69, Town of Kuala Lumpur, Wilayah Persekutuan:

 - i. Lot 274 (Gazette No. 505 dated 16 January 1920);
 - ii. Lot 214 (Gazette No. 508 dated 16 January 1920);
 - iii. Lot 3164 (Gazette No. 510 dated 16 January 1920);
 - iv. Lot 507 (Gazette No. 1604 dated 24 March 1938); and
 - v. Lot 508 (Gazette No. 1604 dated 24 March 1938);

Within Daerah Kuala Lumpur, Mukim Kuala Lumpur, Plan No.21380 for Lot No.4238 (Selangor Government Gazette No.350 dated 26 June 1958); and

Within Daerah of Federal Territory of Kuala Lumpur, Mukim Kuala Lumpur, Plan No.106204 for Lots No. 51969 & 51970 (Gazette No. P.U. (B) 507 dated 23 December 1999).
 - c) To allocate for application and use by members of the public of the Association funeral parlours and memorial halls.
3. The registered place of business of the Association shall be at Lot 507, Section 69, Jalan Dewan Bahasa, 50460 Kuala Lumpur or at such other place as may be decided from time to time by the Committee. The registered place of business cannot be changed without the prior approval of the Registrar of Societies.

Article 2

4. The Management Committee shall consist of 31 members nominated by the following Associations:-
 - a) 8 representatives from Persatuan Kwong Siew Selangor Dan Wilayah Persekutuan;
 - b) 5 representatives from Persatuan Fui Chiu Wilayah Persekutuan dan Selangor;
 - c) 5 representatives from Persatuan Ka Yin Wilayah Persekutuan Kuala Lumpur;
 - d) 5 representatives from Persatuan Hainan Selangor Dan Wilayah Persekutuan;
 - e) 5 representatives from Persatuan Teo Chew Selangor Dan Kuala Lumpur;
 - f) 3 representatives from Selangor Wilayah Char Yong Fui Kuan;

4.A) Notwithstanding that the 31 member Management Committee being comprised of representatives from the 6 Associations above named, the Association is nonetheless an independent non-profitable welfare organization on its own right. All members of the Management Committee shall abide by the Rules herein provided and further by the resolutions of the Management Committee and of the General Meetings of the representatives.
5.
 - a) The Executive Officers of this Association shall be a President, a Vice President, a General Secretary, an Assistant General Secretary, a Treasurer, an Assistant Treasurer, a Welfare Officer, an Assistant Welfare Officer, six investigating officers which shall be filled by means of election among the management committee;
 - b) 2 internal auditors shall be elected from among the members for a term of 2 years;
 - c) The Management Committee shall hold office for a term of 2 years and shall be eligible for re-election. Whereas a Member of the Management Committee shall not hold the office of President or General Secretary or Treasurer for more than 2 consecutive terms;
 - d) During any one term of office, representatives from the same Association shall not hold more than 1 of the following 6 principle posts; namely the President, the Vice President, the General Secretary, the Assistant General Secretary, the Treasurer, and the Assistant Treasurer.
6. In the event of any resignation, death, unsoundness of mind, bankrupt and disablement, or having committed any offence under the law which renders the person unfit to hold office during the tenure of office, the Association that he represents shall nominate another representative to replace him; but the post (if any) held by him shall be filled by a Management Committee member in an acting capacity, by means of election among the Management Committee Members. He shall hold the post until the full term

of that Management Committee. Holding of the acting post will not affect his eligibility to be elected under article 2.5 (c) above.

7. In the early part of April of the first year of each term, the President shall notify the aforesaid 6 associations to nominate new representatives to the Management Committee by the 31st May. Having received the nomination papers from all the 6 Associations, the President shall, within 2 weeks convene a meeting of the New Management Committee to elect New Executive Officers. In the event that no new representative is nominated by any of the aforesaid Associations by 31st May, their existing representatives shall continue to represent the Association. The outgoing Management Committee shall still be responsible for the affairs of the Association until their successors have assumed office.
8. After assuming office, the new Management Committee shall as soon as practicable prepare a budget for adoption and implementation during the current term.
9. The accounts of the Association, besides being audited by the Internal Auditors every month, shall also be audited by a registered and qualified Auditor annually appointed by the Management Committee.

Article 3

10.

- a) The business of the Association shall be managed by the Management Committee. Any dispute arising out of the burial ground shall be referred to the Management Committee and the decision made by Management Committee shall be final and binding;
- b) The Management Committee shall set up an Executive Committee comprising 14 members, who shall implement the resolutions passed by the Management Committee and deal with the daily affairs of the Association.

The Executive Committee is vested with power to approve expenditure of not more than RM10, 000.00 for any one transaction. Meeting of the Executive Committee shall be called and presided by the President.

- c) The President, Vice President, General Secretary, Assistant General Secretary, Treasurer, Assistant Treasurer, Welfare Officer, Assistant Welfare Officer and 6 Investigating Officers shall automatically be members of the Executive Committee;
 - d) The Management Committee is vested with the power to form other Committee(s) or Sub Committee(s) to assist in organizing activities of the Association when necessary.
11. President: The President shall deal with all affairs of the Association, shall preside at all meetings and act for and on behalf of the Association. He shall have the power to authorize an expenditure not exceeding RM3, 000.00(Malaysia Ringgit Three Thousand Only) at any one time.
12. Vice President: The Vice President shall assist the President in the conduct of the affairs of the Association and act for him during his absence.

13.

- a) General Secretary: The General Secretary shall assist the President in the conduct of the affairs of the Association and implement the matters stipulated by the Rules and all resolutions passed at meetings. He shall inspect the burial ground and give instruction of works to the staff. He shall have the power to authorize an expenditure not exceeding RM2, 000.00 (Malaysia Ringgit Two Thousand Only) at any one time, and shall be entitled to claim transport allowance for the execution of his duties;
- b) In the absence of the General Secretary, the assistant General Secretary shall at for him.

14.

- a) Treasurer: The Treasurer shall manage all income and expenditure of the Association. All monies belonging to the Association shall be deposited in any local Bank to be nominated by the Management Committee in the name of the Association. Cash in hand shall not exceed RM1, 500.00 (Malaysia Ringgit One Thousand Five Hundred Only) at all times. All Bank accounts shall be operated by the Treasurer (or Assistant Treasurer in his absence), the President (or the Vice President in his absence, and the General Secretary (or the Assistant General Secretary in his absence) jointly. All documents pertaining to bank fixed deposit accounts shall be kept in the safe at the registered place of business and documents relating to land and title deeds shall be kept in a safe deposit box of the banks by the Treasurer and all receipts shall be made out by the Treasurer.
 - b) In the absence of the Treasurer, the Assistant Treasurer shall act for him.
- 15.
- a) Welfare Officer: The Welfare Officer is responsible for the welfare and charitable works of the Association;
 - b) In the absence of the Welfare Officer, the Assistant Welfare Officer shall act for him.
16. Investigating Officers: The Investigating Officers shall investigate into any dispute arising out of the burial ground, efficiency of the staff and all other matters and submit a report to the President who shall table such matters for discussions at the Management Committee meeting.
17. Internal Auditors: The Internal Auditors shall audit the accounts of the Association and examine all receipts and bills, Bank accounts, titles to property and all other documents relating thereto. All accounts of the Association shall be submitted for audit by a registered and qualified Auditor annually.
18. The Association shall employ managers, executive secretaries and other staff to conduct its daily affairs. The managers and secretaries shall be interviewed by the President, General Secretary and Treasurer who shall recommend their appointments to the Management Committee for approval. Other staff shall be employed by the General Secretary and Assistant General Secretary
19. The Management Committee shall draw up the terms and conditions of services, salary and other details in respect of all the staff.

Article 4

20. There shall be monthly meeting of the Management Committee. An Emergency Meeting of Extraordinary Meeting of the Management Committee may be convened by the President or upon receipt of a written request to the General Secretary made by not less than 13 members of the Management Committee.
21. Notice of meeting shall reach the Management Committee members 5 working days before the meeting is to be held except in any emergency which warrants immediate action.
22. The quorum of Management Committee Meeting shall be 16 persons. The meeting shall be adjourned should there be no quorum and the postponed meeting shall take place within 1 week thereafter at the same time and place. The quorum for the postponed meeting shall be 10 persons but the original agenda shall be followed.
23. All resolutions shall be considered as having been approved by the meeting if over half the total number of Management Committee members present at the meeting agreed to such resolutions. In the event of a tie, the President shall have a casting vote.
24. Any transaction relating to the property of the Association or charging of property for a loan shall be decided at a General Meeting of representatives specially convened for this purpose. An endorsement from at least 2/3 of those present is needed in order to pass the resolution.
25. The General Meeting shall be attended by Management Committee Members as well as representatives from all the 6 Associations double the number of representatives as stipulated in rule 4 as follows:-
 - a) 16 additional representatives from Persatuan Kwong Siew Selangor Dan Wilayah Persekutuan;
 - b) 10 additional representatives each from:-
Persatuan Fui Chiu Wilayah Persekutuan Dan Selangor,
Persatuan Ka Yin Wilayah Persekutan Kuala Lumpur Dan Selangor,
Persatuan Hainan Selangor Dan Wilayah Persekutuan,
Persatuan Teo Chew Selangor Dan Kuala Lumpur.
 - c) 6 additional representatives each from Selangor Wilayah Char Yong Fui Kuan.

QUORUM: Not less than 47 members who represent not less than 4 Associations present at the meeting shall form a quorum and the notice of meeting shall be sent out 21 days before the meeting is held. The President of the Association shall be Chairman of such meeting and he shall have the casting vote as provided for under rule 23.

26.

- a) The fund of this Association shall be utilized to arrange for the burial of Malaysian Chinese of Kwong Tong, Hainan province origin, and beautification, development and improvement of temple, memorial hall, funeral parlour and any other buildings related to funeral affairs.
- b) Every single donation of more than RM20, 000.00 towards a charitable cause or any charitable organization approved by the Inland Revenue Department shall be made only with the approval of General Meeting of representatives.
- c) At least 70% of the fund of this Association shall be utilized in accordance with rule 2 and sub-rule 26(a) aforesaid.

Article 5

- 27. The immovable property of this Association shall be registered under the name of the Association and all related documents shall be signed jointly by the three current key office bearers, namely: the President, General Secretary and Treasurer.
- 28. In the event of any defect being discovered in these rules, the Management Committee shall table the proposal for amendments at the General Meeting, but have to be endorsed by at least 2/3 of those present. Any amendment or modification to the rules of the Association must obtain prior written consent from the Director General of Inland Revenue Malaysia. Any amendment or modification to these rules shall only be effective with the prior approval of the Registrar of Societies.

{This latest amended articles proposed by the Association has obtained approval from Registrar of Societies effective on 04 April 2006 with reference no. PPM/WKL001077/50 and PPP/WKL000093/50 JLD.2(60)}