PERTUBUHAN BELIA KEBANGSAAN BERSATU SARAWAK

PREAMBLE

WHEREAS on the 22nd day of July, 1972 the representatives of various youth organization in the State of Sarawak, Malaysia that is to say, the Gabongan Kelab-Kelab Belia Melayu Sarawak, The Sarawak Youth Council and the Bidayuh Club, conscious of their responsibility to dedicate them selves to the service of the nation and to that end desirous of organizing themselves in one single youth organization in the state of Sarawak, assembled at the Pusat Pelbagai Guga Negeri Sarawak, Jalan Datuk Ong Kee Hui, Kuching, Sarawak.

AND WHEREAS on the said day, it was resolved and agreed to form a single youth organization to be known as the Pertubuhan Belia Kebangsaan Bersatu, Sarawak (SABERKAS)

NOW, THEREFORE, be it declared by the resolution of the said assemble and by authority or the same as follows:=

THE CONSTITUTION OF PERTUBUHAN BELIA KEBANGSAAN BERSATU SARAWAK (SABERKAS)

(REVISED 1976)
(REVISED 1979)
(REVISED 1981)
(REVISED 1984)
(REVISED 1988)
(REVISED 2003)
(REVISED 2006)
(REVISED 2010)
(REVISED 2020)
(REVISED 2023)

PERLEMBAGAAN BAGI

PERTUBUHAN INDUK

PERTUBUHAN BELIA KEBANGSAAN BERSATU SARAWAK

(PPM-003-13-19031973)

CLAUSE 1 **NAME**

(1) The Association shall be known as

PERTUBUHAN BELIA KEBANGSAAN BERSATU SARAWAK

Hereinafter referred to as the Association.

(2) Level : STATE

CLAUSE 2 **PLACE OF BUSSINESS**

(1) The registered address is

TINGKAT 20 WISMA SABERKAS JALAN TUN ABANG HAJI OPENG

93000 KUCHING, SARAWAK

or at such other place as may from time to time be decided by the Committee;
and the postal address is

TINGKAT 20 WISMA SABERKAS JALAN TUN ABANG HAJI OPENG

93000 KUCHING, SARAWAK
(2) The registered and postal addresses shall not be changed without the prior approval of
the Registrar of Societies.

CLAUSE 3 **AIMS AND OBJECTIVES**

ARTICLE 3 - OBJECTIVES AND POWERS

The aims and objectives of SABERKAS shall be:

(1) To instil into SABERKAS' members a sense of devotion and undivided loyalty towards Malaysia.

(2) To promote the spiritual, mental, physical and social well-being of SABERKAS' members and the community as a whole.

(3) To promote friendship and understanding among SABERKAS' members and the community as a whole.

(4) To encourage the youth of Malaysia to take full measures of responsibility in civic affair and to participate actively in nation building.

(5) To establish and maintain relations with the Malaysian Youth Council and any other organisations in Malaysia, as may be approved and recognised by the Ministry concerned.

(6) To work in close co-operation with the Ministry responsible for the welfare of the youth.

(7) To uphold the Universal Declaration of Human Rights.

(8) To carry out the aforesaid objectives, SABERKAS shall have the following powers:-

(a) To raise funds for such objectives.

(b) To accept grants, donations, subscription fees and legacies from any Associations or persons who would like to advance such objectives or any of it.

(c) To contribute or incur money for carrying out such objectives in such manner as approved by the General Assembly.

(d) To own, invest and utilize SABERKAS' funds which are not immediately required, according to the manner and requirements to be decided from time to time by the General Assembly.

(e) To purchase, receive, inherit or by any other means to hold land and building whether to be acquired by way of donation or alienation or lease to SABERKAS or otherwise, in the furtherance of such objectives.

(f) To take over all or part of any activities, lands, assets or liabilities of any government departments or governmental organisations which all or part of its objectives are similar to those of SABERKAS'.

(g) To acquire loan from such bank or financial institution (of which may be secured by mortgage or charge over SABERKAS' assets or properties or otherwise) with the approval of the General Assembly or the Extra-ordinary General Assembly upon such terms and conditions as appropriately considered and approved.

(h) To set up a limited company or firm or co-operative society for the purpose of managing SABERKAS' properties or assets or matters in connection with such objectives.

(i) To make use of the capital, income and asset of SABERKAS or any part thereof, for the said objectives subject to such trust (if any) created.

(j) To provide, maintain, administer or run offices, centres and place of holding meetings or functions or games as required and to provide staff and other provisions for it.

(9) The General Assembly may generally or under special circumstances, delegate any of the above powers to the State Committee, and when delegating any of these powers, it shall give such directions or impose such conditions for exercising such powers to the State Committee, provided that such delegation of powers may be cancelled or withdrawn at any time by the General Assembly under its direction.

CLAUSE 4 **MEMBERSHIP**

ARTICLE 4 – MEMBERSHIP

(1) Types of Membership

Cadet Membership

Cadet Membership shall be open to all Malaysians, domiciled in Sarawak, who have attained the age of 9 years or above but below 16 years. Cadet members shall not be entitled to vote or hold office in SABERKAS.

Ordinary Membership

Ordinary Membership shall be open to all Malaysians. He shall have the right to vote and hold office in SABERKAS.

Life Membership

Any member of SABERKAS shall upon payment of subscription of RM 50.00 become a Life Member. He shall have the same rights and privileges of an Ordinary Member of SABERKAS.

Honorary Membership

Honorary Membership shall be conferred by the State Committee on any person who has rendered distinguished service to the youth or any Malaysian Citizen whom the State Committee considers worthy of such award. He shall not vote or hold office in SABERKAS.

(2) Application for Membership

(a) Any applicant for the Cadet or Ordinary Membership of SABERKAS shall submit an application form as specified by the State Committee. The membership application form in the format provided in Schedule I shall be used. The format of SABERKAS membership application form may be changed by the State Committee at any time and from time to time.

(b) Every applicant shall be proposed and seconded by two Ordinary or Cadet Members, and any applicant who is below 16 years of age shall obtain prior permission from his parent or guardian.

(c) Any application for SABERKAS membership shall be forwarded to the relevant Branch Secretary of SABERKAS through the Unit Secretary for approval by the Branch Committee.

(d) Decision by the Branch Committee on such application for membership shall be referred to the Secretary-General who shall then refer it to the State Committee for final approval.The State Committee may vary the decision of the Branch Committee. The State Committee may reject any such application for membership without assigning any reason therefore and its decision shall be final.

CLAUSE 5 **RESIGNATION & TERMINATION**

ACTICLE 5 - RESIGNATION AND TERMINATION

(a) Membership of SABERKAS shall cease in any of the following ways:-

(i) By Resignation

Any member wishing to resign from his SABERKAS membership shall send a written notice to the Branch Secretary through the Unit Secretary of SABERKAS. Resignation shall take effect from the date of its acceptance by the Branch Secretary.

(ii) By Falling Into Arrears

Membership of a member who falls into arrears of his subscription fees payment for more than one (1) year and who failed to pay off the arrears after being duly served with a notice by the Secretary-General shall cease after lapse of such grace period stipulated in the notice.

(iii) By Expulsion
A member who fails to comply the Constitution, rules or policy of SABERKAS, or who conducts himself in such manner that brings discredit or is detrimental against the interest, aims and objectives of SABERKAS shall be expelled from SABERKAS provided that due inquiry must have been made by the State Committee and a finding of commission of such non-compliance and misconduct by the said member was reached.

(b) Deletion from Register

The names of those who cease to be members of SABERKAS shall be deleted from the membership register.

CLAUSE 6 **ENTRANCE FEES, SUBSCRIPTIONS AND OTHER DUES**

ACTICLE 6 - ENTRANCE FEES, SUBSCRIPTIONS AND OTHER DUES

(a) Admission Fee

Admission Fee payable to SABERKAS shall be as follows:-
(i) Cadet Member (Ordinary Member aged 9-15 years) - RM 1.00
(ii)Ordinary Member - RM 1.00

(b) Subscription Fee

Subscription Fee payable to SABERKAS shall be as follows:-
(i) Cadet Member (Ordinary Member aged 9-15 years) - RM 1.00 per annum
(ii) Ordinary Member (16 years and above)- RM 1.00 per annum
(iii) Life Member - RM 50.00 (RM 25.00 is paid to State SABERKAS and RM25.00 to Branch SABERKAS where he joined in as member)

(c) A Cadet Member (Ordinary Members aged 9-15 years)may be exempted from payment of subscription fees. Such exemption shall be given to any Cadet Member at the discretion of the Branch Committee.

(d) For the purpose of membership subscription, the one-year subscription period commences from the month of January to December of each year.

(e) All subscription fees shall become payable in the month of January every year with a grace period of 30 days.

CLAUSE 7 **DELEGATES MEETING**

The meetings of SABERKAS shall be of the following categories:-

(1) The Triennial General Meeting

(a) The State Assembly shall meet once every three (3) years.

(b) The Triennial General Meeting shall be held on the third year since the last Triennial General Meeting on a date to be decided by the State Committee, provided that a delay occasioned by special circumstances shall not in any event exceed six (6) months from the due date.

(c) The following shall constitute the Agenda of the Triennial General Meeting:-

(i) To confirm minutes of the last Triennial General Meeting.

(ii) To deal with matters arising out of the minutes.

(iii) To receive and adopt the State Committee Report.

(iv) To receive and adopt the audited Statement of Account.

(v) To elect officers for the purpose of Section 9(b) of Societies Act 1966.

(vi) To elect a State Committee.

(vii) To elect Auditors.

(viii) Any other businesses which have been brought to the notice of the Secretary General not later than fourteen (14) days before the meeting. For this purpose, the State Committee shall have the power to include or otherwise, any such matters as may constitute such other businesses.

(d) Preliminary Notice of Triennial General Meeting
(i) The Secretary General shall send to all Branch Secretaries a preliminary notice of the Triennial General Meeting.

(ii) The notice shall be sent not later than forty (40) clear days before the date fixed for the meeting.

(iii) The notice shall also be displayed at any registered office of SABERKAS.

(iv) The notice, inter-alia, shall contain such matters as decided by the State Committee.

(e) The Branch Secretaries shall send, not later than twenty (20) days after receipt of the preliminary notice, to the Secretary-General the names of representatives, nominations for election of officers and motions for discussion at the meeting.

(f) The Secretary–General shall send to the Branch Secretaries at least fourteen (14) days before the meeting the following inter alia:-
(i) Agenda of the Meeting.

(ii) Motion and Nominations for election of officers.

(iii) Audited accounts of SABERKAS for the previous year. Copies of the above shall be furnished to each of the Branch Representatives. They shall be made available at all SABERKAS offices for perusal by the members.

(2) Extraordinary General Meeting

(a) An Extraordinary General Meeting shall be called by the Secretary–General in any of the following directions:-

(i) Upon the requisition of and signed by the committees of at least ten (10) Branches of SABERKAS.

(ii) When convened of such a meeting, business for which it is called shall be conducted upon and in accordance with the direction of the President.

(b) An Extraordinary General Meeting shall be held within twenty one (21) days from date of receipt of the said requisition by the Secretary-General.

(c) Notice of an Extraordinary General Meeting and the Agenda shall be given to the members at least fourteen (14) days prior to the date of the meeting.

(3) State Committee Meeting

(a) The State Committee shall meet at least once in twelve (12) months.

(b) A State Committee Meeting shall be convened by the Secretary-General who shall give at least fourteen (14) days notice in writing of such meetings.

(c) Emergency meetings, however, may be held at shorter notice.

(d) Any member of the State Committee who without proper cause, fails to attend three(3) State Committee Meetings consecutively shall be deemed to have resigned from the State Committee.

(4) Quorum

(a) The Triennial General Meeting shall proceed to business if there is a quorum of a simple majority of paid-up members.

(b) In the absence of such quorum as required in (a) above, the meeting shall be postponed to a later date to be fixed by the State Committee.

(c) Where there is no quorum at the subsequent meeting fixed in accordance with (b) above, the meeting shall nevertheless proceed to business.

(d) The meeting convened pursuant to (c) above, however shall not involve discussion of any matters whatsoever affecting the whole membership of SABERKAS nor any rules contained in the Consititution of SABERKAS.

(e) The Extraordinary General Meeting shall proceed to business if one-third (1/3) or more of SABERKAS Branches are present.

(f) In the absence of such quorum as required in (e) above, the Extraordinary General Meeting shall be postponed to a later date to be fixed by the State Committee.

(g) Where there is no quorum at the subsequent meeting fixed in accordance with (f) above, if the meeting is expressly requisitioned as in Article 7 (2) (a) (ii) of the Constitution, the meeting shall nevertheless proceed to business.

(h) Further, there shall be no requisition in accordance with Article 7 (2) (a) (ii), until after a lapse of 6 months from the date thereof.

(i) The State Committee meeting shall proceed to business where there is a simple majority of members present.

CLAUSE 8 **CENTRAL COMMITTEE**

ARTICLE 8 : THE STATE COMMITTEE

(1) General

(a) The State Committee shall be formed at the Triennial General Meeting by election of the office bearers thereto.

(b) All posts in the State Committee shall be honorary.

(c) Only the post of President and Deputy President of SABERKAS may be filled by the senior members by election thereunto.

(d) The committees at all levels, State, Branch and Unit shall be constituted at least seventy percent (70%) thereof by those members aged between 16 and 39 years old unless otherwise determined by the State Committee.

(2) Composition

(a) The State Committee shall consist of the following officers:-

(i) A President.

(ii) A Deputy President.

(iii) Seven (7) Vice Presidents, Four (4) of whom shall be elected at the Triennial General Meeting and three (3) to be appointed by the State Committee.

(iv) A Secretary–General.

(v) Two(2) Deputy Secretary–General.

(vi) A State Organising-Secretary.

(vii) Four (4) Assistant Secretary–Generals.

(viii) Two(2) Assistant Organising-Secretary

(ix) A Treasurer.

(ix) Two(2) Assistant Treasurer.

(x) Thirty one (31) other State Committee members, six (6) of whom shall be appointed by the President in consultation with the State Committee.

(b) The following posts shall also be appointed by the President in consultation with the State Committee:-

(i) A Secretary–General.

(ii) Two(2) Deputy Secretary–General.

(iii) A State Organising Secretary.

(iv) Four (4) Assistant Secretary–Generals.

(v) Two(2) Assistant Organising Secretary

(vi) A Treasurer.

(vi) Two(2) Assistant Treasurer.

(vii) Six (6) Committee Members

(3) Other Functions and Powers

(a) The State Committee shall be responsible for the general administration of the organisation in accordance with the directions laid down by the State Assembly.

(b) The State Committee shall have the power to appoint Sub–Committees whenever it may deem fit or may delegate any of its duties to a member of the State Committee save for the exercise of any power under Article 24 of this Constitution.

(c) The State Committee shall have the power to co-opt any persons for any purpose deemed necessary by the State Committee.

(d) The State Committee shall have the power to fill any vacancy in the State Committee.

(e) The State Committee shall have the power to direct the Branch Committee and/or Unit Committee to hold a special meeting if it shall deem fit.

(f) The State Committee shall have the power to suspend any member for an indefinite period of time. Provided that such power to suspend any member shall not be exercised without any reasonable cause.

(g) The State Committee may, whenever necessary, seek financial assistance from lawful source in order to carry out any project which is beneficial to SABERKAS.

CLAUSE 9 **DUTIES OF OFFICE - BEARERS**

(1) The President

(a) The President shall preside at all meetings of the State Committee.

(b) He shall also preside at other meetings at State level of SABERKAS.

(c) He shall have a casting vote and sign the minutes of every meeting at the time they are approved.

(2) The Deputy President

(a) The Deputy President shall deputise for and on behalf of the President in and during the latter's absence.

(b) He shall take over the President, should the President resign until a new President is elected at the Triennial General Meeting.

(3) The Vice–Presidents

(a) The Vice–Presidents shall assist the President and the Deputy President in the performance of their duties.

(b) One of the seven (7) Vice-President shall be appointed to deputise for and on behalf of the President and the Deputy President in the absence of both.

(4) (i) The Secretary–General

(a) The Secretary–General shall conduct all correspondence and keep minutes of all meetings of the State Committee.

(b) He shall also take charge of the records of the organisation and carry out such other duties generally pertaining to his office.

(ii) The Deputy Secretary–General

The Deputy Secretary–General shall assist the Secretary–General in carrying out his duties and shall act for him during his absence.

(5) The Assistant Secretary-Generals

The Assistant Secretary-Generals shall assist the Secretary-General and Deputy Secretary-General in carrying out their duties, and one of them shall be appointed

to act for the Secretary–General in the absence of both the Secretary–General and Deputy Secretary–General.

(6) Duties of the State Organising Secretary
The State Organising Secretary shall be responsible for the development and expansion of the various activities / projects of SABERKAS such as Economic Development, Community Development, Agriculture Development, Education and Training, Culture and Sports, Civic affairs and also organising courses, seminars and other activities from time to time which are beneficial to SABERKAS.

(7) (i) The Treasurer

(a) The Treasurer shall collect all subscription fees, keep proper book of accounts, and draw up an Annual Statement of Receipts, Payments and the Balance Sheet of SABERKAS as at 31st December of each year.

(b) He may keep a sum of not exceeding RM 100.00 in his possession as petty cash.

(c) He shall keep all other money of SABERKAS in a Bank appointed by the State Committee.

(d) He shall be responsible for the receipt and payment of all money.

(e) He shall, together with President or Deputy President or Secretary-General, sign cheques for and on behalf of SABERKAS, provided that no expenditure exceeding RM 5,000.00 at any one time shall be incurred without the prior sanction of the State Committee.

(f) At any one time the maximum expenditure shall not exceed RM 25,000.00.

(ii) The Assistant Treasurer
The Assistant Treasurer shall assist the Treasurer in carrying out his duties and shall act for him during his absence.

CLAUSE 10 **FINANCIAL PROVISIONS**

ARTICLE 10 - FINANCIAL PROVISIONS

(1) SABERKAS' funds shall be derived from the following:-

(a) Admission fees payable under Article 4 (a).

(b) Subscription fees payable under Article 4(b).

(c) Earnings under Article (3)(f) and other earnings as may be determined by the State Committee.

(2) (a) Each Unit shall be responsible to keep its own funds.

(b) Such funds shall, however, be the common asset of SABERKAS.

(3) (a) Each Unit shall pay a sum of RM 5.00 per year to the Branch Committee.
(b) Each Branch shall pay a sum of RM 10.00 per year to the State Committee.

(4) All annual subscriptions and other dues shall be paid / payable to the Treasurer of the Unit, Branch or State Committee as the case may be.

(5) The Unit and Branch Assemblies shall forward to the Secretary-General their respective annual reports and Statements of Accounts duly audited and adopted.

(6) All monies and profits accruing to SABERKAS from participation in any business or investment shall be applied solely towards the furtherance, promotion and execution of the objectives of SABERKAS and no portion thereof shall be paid by way of dividend, bonus or profit to any member of SABERKAS provided that nothing herein expressed or contained shall prevent the payment in good faith of remuneration or expenses or both to any officer or servant of SABERKAS or to any member of SABERKAS or other person or persons for services actually rendered by him or them to SABERKAS.

(7) SABERKAS' financial year shall end on December 31 of each year.

(8) Copies of consolidated Statement of Accounts, duly audited by the Auditor(s) appointed under Article 11 shall be made available at SABERKAS Headquarters and at each Unit Office for perusal by the members.

CLAUSE 11 **AUDIT**

ARTICLE 11 - AUDITORS

(1) Internal Auditors

(a) They shall be elected by the State Assembly at least one auditor to audit the accounts of SABERKAS.
(b) When elected, such an officer shall serve for a period of three (3) years.

(c) Such an appointment may be at State, Branch / Unit level of SABERKAS, as the case may be.

Provided that the President may direct the account of any Unit / Branch of SABERKAS to be audited at any given time.

(2) External Auditors

(a) Where it is deemed necessary by the State Committee, the State Committee may appoint external auditors to audit SABERKAS' Accounts.

CLAUSE 12 **PROPERTY ADMINISTRATORS**

ARTICLE 12 - OFFICERS APPOINTED FOR PURPOSE OF SECTION 9(b) OF SOCIETIES ACT, 1966

(1) Appointment

(a) Three (3) officers who are the office-bearers of SABERKAS shall be elected by the State Assembly for the purpose of section 9 (b) of the Societies Act 1966.

(b) Any subsequent vacancy shall only be filled in by a new appointment of such officer by the State Assembly.

(2) Duties

(a) They shall deal with all immovable properties of SABERKAS as the State Assembly may direct.

(b) All immovable properties shall be registered in the name of SABERKAS.

(3) Resignation

(a) Any officer so appointed may resign.

(b) The resignation shall be made in writing to the Secretary General.

(4) Removal

(a) If an officer dies or becomes insane or is convicted of Criminal Breach of Trust or is absent from Sarawak for a period of one year, he shall be deemed to have vacated his post.

(b) If an officer is guilty of such a misconduct as to render it undesirable for him to remain as such officer, he shall be removed from office.

(c) The State Assembly may remove any officer by a majority decision without assigning any reason therefor.

CLAUSE 13 **DISSOLUTION**

ARTICLE 13 - DISSOLUTION

(1) Of the Whole Organisation

(a) SABERKAS may only be dissolved where special circumstances render it unfunctionable.

(b) It may only be dissolved upon the votes of at least two third (2/3) of the State Assembly at the Triennial General Meeting.

(c) Notice of dissolution shall be submitted to the Registrar of Societies and the Director-General of Inland Revenue within fourteen (14) days of the dissolution.

(d) In the event of dissolution, the surplus monies after settlement of all liabilities shall be donated to the Government (Federal or State) or to an institution or institution of similar character which have been approved for the purpose of Income Tax by the Director General of Inland Revenue of Malaysia.

(2) Of Branches and Unit

(a) Where circumstances so require, and if there are reasonable and just cause, the State Committee may dissolve any Branch or Unit of SABERKAS.

(b) In the event of the Branch or Unit so dissolved, the State Committee shall transfer its asset to the nearest Branch or Unit.

(c) The Chairman, Secretary and Treasurer shall deliver to the Secretary–General their respective documents and other relevant particulars brought up to date.

CLAUSE 14 **ESTABLISHMENT**

ARTICLE 14 - BRANCH ASSEMBLY

(1) Establishment

(a) A Branch Assembly shall be established for the management of the affairs of SABERKAS within the boundary / area that the SABERKAS Branch represents.

CLAUSE 15 **GENERAL MEETING OF BRANCHS**

ARTICLE 15 - BRANCH ASSEMBLY

(1) Triennial General Meeting

The Triennial General Meeting of the Branch Assembly shall be held on a date decided by Branch Committee and endorsed by the State committee to deal with the following business:-

(i) To confirm the minutes of the last Triennial General Meeting.

(ii) Matters arising out of the minutes.

(iii) To receive the Branch Committee's report on the working of the Branch Assembly during the previous year.

(iv) To receive the Treasurer's report and the audited accounts for the previous year.

(v) To elect a Branch Committee and Branch Representatives triennially.

(vi) To deal with such other matters as may be put before it.

Notice and Agenda for a Triennial General Meeting shall be forwarded by the Secretary to all members of the Branch Committee and Secretaries of the Units in the Branch at least twenty one (21) days before the date fixed for the meeting.

(2) Special Meeting

(i) This may be directed by the State Committee in accordance with Article 9 (3)(f);or

(ii) When the Branch Committee deems fit under special circumstances; or

(iii) At the requisition in writing of one third (1/3) or more of the total number of Units in the Branch. In such a case the objects and reasons for such a meeting shall be stated.

(iv) At least fourteen days notice of any such meeting shall be given to all members of the Branch and Unit Representatives who are entitled to attend.

(3) Branch Committee Meeting

(i) The Branch Committee shall meet at least once every twelve months (12) months.
(ii) A fourteen (14) days notice shall be given to the members before such a meeting is convened.

(iii) The Chairman of the Branch Committee may convene such meeting at any one time.

(iv) One third (1/3) or more of the Units in a Branch may requisition for such a meeting to be held.

(4) Quorum

(a) In the case of the Triennial General Meeting of the Branch under Article 15 (1), a simple majority is the SABERKAS Unit registered under the SABERKAS Branch or the total membership in the SABERKAS Branch, whichever is the lowest.

(b) In the absence of such quorum as required in (a) above, the meeting shall be postponed to a later date to be fixed by the Secretary of the Branch.

(c) (i) In the case of the Special Meeting under Article 15(2), a simple majority of the Units in the Branch shall constitute a quorum.

(ii) For this purpose each Unit may send two (2) representatives.

(d) In the case of a Branch Committee Meeting under Article 15(3), a simple

majority of the Branch Committee members shall constitute a quorum.

CLAUSE 16 **COMMITTEE OF BRANCHS**

ARTICLE 16 - BRANCH COMMITTEE

(1) Composition

(a) The Branch Committee shall consist of the following office bearers:-

(i) A Chairman
(ii) Two (2) Vice - Chairmen
(iii) A Secretary
(iv) Two (2) Assistant Secretaries
(v) A Treasurer
(vi) Six (6) Committee Members

(b) All the above office-bearers except for the posts of the Secretary, the two Assistant Secretaries and the Treasurer shall be filled by election thereonto at the Triennial General Meeting of the Branch Assembly.

(c) The following office-bearers shall be appointed by Chairman in consultation with the Branch Committee:

(i) A Secretary
(ii) Two (2) Assistant Secretaries
(iii) A Treasurer

(2) Power of Branch Committee

(a) The Branch Committee shall have the power to consider and decide on any application for membership, subject to final approval by the State Committee in accordance with Article 4 (2) (c).

(b) The Branch Committee shall have the power to recommend the establishment or the Dissolution of a Unit within its Branch to the State Committee.

(c) The Branch Committee shall have power to recommend to the State Committee that a member be dealt with in accordance with Article 4(4).

(d) The Branch Committee may appoint a new member to the Branch Committee in the event of resignation of any of its members. For this purpose, a member who fails to attend the Branch Committee Meeting on 3 consecutive occasions shall be deemed to have resigned.

(e) The Branch Committee shall have the power where circumstances so required and if there is reasonable and just cause, to convene an Extraordinary Meeting of any Unit which fails to comply with Article 29(2)(a)(i).

CLAUSE 17 **DUTIES OF BRANCH OFFICE**

ARTICLE 17 - DUTIES OF OFFICE BEARERS OF BRANCH COMMITTEE

(1) The Chairman

(a) He shall preside at all meetings at Branch level.

(b) He shall have a casting vote and sign the minutes of every meeting at the time they are approved.

(2) The Vice-Chairmen

(a) They shall assist the Chairman and one of them shall be appointed to deputise for and on behalf of the Chairman in the absence of the latter.

(3) The Secretary

(a) He shall conduct business of the Branch in accordance with the rules and regulations of SABERKAS.

(b) He shall be responsible for the administrative machinery within the Branch.

(c) He shall forward to the Secretary–General a copy of the minutes not later than three (3) days after the meeting.

(d) In the case of an Annual General Meeting, he shall issue notice of time, date and place of such meeting to all Unit within his Branch. He shall also issue copies of the Agenda and Statements of Accounts to the Units not less than 30 days before the Annual General Meeting in the Branch.

(4) The Assistant Secretaries

(a) They shall assist the Secretary in the performance of his duties; and one of them shall be appointed to act for the Secretary in the latter's absence.

(5) The Treasurer

(a) He shall be responsible for all the finances and financial transaction within his Branch.

(b) He may hold a petty cash of not more than RM 100.00 at any one time.

(c) He shall deposit any other money of the Branch Assembly in a bank appointed by the State Committee.

(d) He shall not sanction any expenditure exceeding RM 500.00 at any one time without the prior approval of the Branch Committee.

(e) He shall together with the Chairman or Vice Chairman or Secretary or Assistant

Secretary of the Branch Committee sign any two of the three or four signatories for all cheques or banking transactions on behalf of the Branch Committee.

CLAUSE 18 **BRANCHS FINANCIAL**

ARTICLE 18

CLAUSE 19 **GENERAL PROVISIONS REGARDING BRANCHS**

ARTICLE 19

CLAUSE 20 **AMENDMENTS OF RULES**

ARTICLE 20 - AMENDMENTS OF RULES

(1) This Constitution may be amended at any General Meeting of SABERKAS.

(2) All amendments shall require the vote of a simple majority of the State Assembly, and actual voting at the General Meeting.

(3) Any such amendments shall be communicated to the Registrar of Societies and the Director-General of Inland Revenue within fourteen (14) days thereof.

(4) No such amendments shall have any force without the approval of the Registrar of Societies and the Director-General of Inland Revenue.

CLAUSE 21 **INTERPRETATION**

ARTICLE 21 - INTERPRETATION

(1) In this constitution:-

(a) Words in the singular include the plural, words importing the masculine gender include the feminine and neuter genders, words importing persons include bodies corporate and unincorporated; and (in each case) vice-versa.

(b) The State Assembly means the State Committee Members and Branch Representatives of SABERKAS.

(c) The State Committee means the State Executive Committee of SABERKAS.

(d) The Branch Assembly means the assembly of the members of the Branch Committee and Unit representatives of SABERKAS.

(e) The Branch Committee means the executive body of a SABERKAS Branch.

(f) A SABERKAS Branch means a Branch of SABERKAS which is formed based on the electoral boundary / area as demarcated and gazetted by the Election Commission in Sarawak or any new electoral boundary/area as may be determined by the Election Commission Malaysia from time to time as the case may be and registered with Registrar of Society.

(g) A SABERKAS Unit means a Unit of SABERKAS which is formed by a group consisting of such imposed minimum number of members in any particular area and registered with the SABERKAS Headquarters after having been endorsed by the Branch in which the Unit situates.

(h) The Unit Committee means the executive body of a SABERKAS Unit.

(i) Block Voting means voting by two or more Branch Committee / Units.

(2) In the event of any dispute arising out of the interpretation of this Constitution, the majority decision of the State Committee or in the case of the general meeting, the decision of the General Assembly by a simple majority shall be final.

(3) In the event of any dispute arising out of the interpretation of this Constitution, the English version of this Constitution shall prevail.

CLAUSE 22 **PROHIBITIONS**

ARTICLE 22 - SPECIAL PROVISIONS

(1) SABERKAS shall not affiliate itself to any political party or any organisation which has a political complexion.

(2) All members of the State, Branches and Unit Committee and every officer performing executive function in SABERKAS shall be Malaysian Citizens.

(3) Any person shall not hold office in SABERKAS or become an advisor or employer of SABERKAS if he is disqualified under Section 9A of the Societies Act 1966.

(4) The committees at all levels, State, Branch and Unit shall be constituted at least seventy percent (70%) thereof by those members aged between 16 and 39 years old unless otherwise determined by the State Committee.

CLAUSE 23 **FLAG, SYMBOL AND BADGE**

1. Flag



Description:

The flag should be rectangular in shape with the logo in the center on a yellow background. The Yellow colour signifies sovereignty

2. Symbol



Description:

(1) The logo shall be circular with two golden rice stalks resting on a white ribbon with two red ends, containing the words in black letters and embracing a yellow man in the middle with red, blue and white shadows on the left and red, black and yellow shadows on the right. The rice stalks are superimposed by nine hands holding each other in a V shape with the slogan; in black letters on a white background crossing the shape.

(2) The meaning of the Logo shall be as follows:-

(a) The rice stalks symbolize agricultural development

(b) The hands holding each other signify goodwill and friendship

(c) The shadow of the man symbolizes the unity of the youth of various races

(d) The different colours shall have the following meanings:

(i) Yellow - Sovereignty

(ii) Blue – Prosperity and Progress

(iii) White - Cleanliness

(iv) Red - Courage

(v) Black - Challenge

3. Badge



Description:

The badge should be circular in shape using the Logo on a yellow background

CLAUSE 24 **POWER TO MAKE REGULATIONS**

ACTICLE 24 - POWER TO MAKE REGULATIONS

The State Committee shall have power to make regulations necessary for the interest of SABERKAS. Where such regulations are made, they shall be deemed to be part of this Constitution

CLAUSE 25 **THE STATE ASSEMBLY**

ACTICLE 25 - THE STATE ASSEMBLY

(1) The highest authority of SABERKAS shall be the State Assembly. The State Assembly is composed of:-

(a) Members of the State Committee.
(b) Representatives from the SABERKAS Branches.

(2) For the purpose of composition of the State Assembly, each SABERKAS Branch may send one (1) representative subject to a maximum of five (5) representatives per Branch.

(3) All members of the current State Committee and every representative from each SABERKAS Branch shall have the right to vote and to hold office.

CLAUSE 26 **VOTINGS**

ARTICLE 26 - VOTINGS

(1) The right to vote shall only be exercisable by ordinary paid up members of SABERKAS.

(2) The same principle shall apply in all cases of meetings at:-
(i) State;
(ii) Branch; or
(iii) Unit, levels.

(3) Voting may either be by ballot or show of hands.

(4) In the case of a tie, the Presiding Chairman shall have a casting vote.

(5) All ballot papers shall be collected and scrutinised by Scrutinisers elected at the meeting from amongst the associate members / observers.

CLAUSE 27 **SUSPENSION**

ARTICLE 16 - SUSPENSION

(1) Apart from Article 8(3)(c), the State Committee shall have power to suspend any Unit or Branch of SABERKAS where the conduct of such Unit or Branch is contrary to the policies and/or objectives of SABERKAS.

(2) The suspension shall operate to put in abeyance the rights and privileges of the Unit / Branch for such period it is suspended.

(3) The State Committee shall cause a committee of inquiry to look into the matters relating to the suspension.

CLAUSE 28 **APPOINTMENT OF BRANCH REPRESENTATIVES**

ARTICLE 28

(1) The Branch Assembly shall triennially send the required number of representatives pursuant to Article 25(b) as decided at its General Meeting immediately preceding the Triennial State Assembly to attend the Triennial General Meeting of the State Assembly.

Provided that two of such representatives shall be members of the Branch Committee

CLAUSE 29 **UNITS**

ARTICLE 29 - UNITS

(1) Establishment

(a) A SABERKAS Unit may be formed in any area approved by the State Committee.
(b) In order for a SABERKAS Unit to be formed, it shall have at least 50 members.

(2) Meetings

The Meeting of a Unit shall be 3 types:-

(a) The Triennial General Meeting

(i) The Triennial General Meeting of a Unit can be held every three (3) years after receipt of notice of the Triennial General Meeting of the Branch Assembly and is not mandatory and does not affect the requirements of SABERKAS Branch and State SABERKAS meetings

(ii) Notice and Agenda shall be forwarded to all members by the Unit Secretary at least seven (7) days before the meeting.

(iii) The business of the Triennial General Meeting shall inter alia include such matters listed in Schedule II.

(b) The Extraordinary General Meeting

(i) The Extraordinary General Meeting of a Unit shall be held at the requisition of one-third ;) of the members in writing, stating reasons and objects of the meeting. Provided that when this requisition is made, the meeting shall be held not later than fifteen (15) days after receipt of the requisition; or

(ii) The Meeting shall be held where the State Committee so directs in accordance with Article 8(3)(f); or

(iii) The Meeting shall be held where the Unit Committee deems fit (Schedule II).

(c) Unit Committee Meeting

(i) The Unit Committee shall meet at least once in every three (3) months.

(ii) The Unit Committee Meeting shall be held whenever the Chairman proposed it or

(iii) The Unit Committee Meeting shall also be held at the written requisition of at least three (3) Unit Committee members.

(3) Quorum

(a) The quorum for the Annual General Meeting of a SABERKAS Unit shall be a simple majority of paid-up members.

(b) Where there is no such quorum as required in (a) above, the meeting shall be postponed to a later date to be fixed by the Unit Secretary.

(c) For an Extraordinary General Meeting of a SABERKAS Unit, one-third (1/3) or more of the members present shall constitute a quorum.

The Unit Committee shall proceed to business where there is a simple majority of members present.

(4) The Unit Committee
(a) A Unit Committee shall consist of the following office-bearers:-
(i) A Chairman
(ii) A Vice - Chairman
(iii) A Secretary
(iv) An Assistant Secretary
(v) A Treasurer
(vi) Six (6) Committee members.

(b) The Unit Committee shall be the body responsible for the administration of affairs of the Unit.

(c) The Unit Committee shall have power to exercise any necessary functions for and on behalf of the Unit where circumstances so require it.

(d) Any member of the Unit Committee who fails to attend three (3) consecutive Unit Commitee meetings without any reasonable cause shall be deemed to have resigned. In such a case, the Unit Committee may appoint a new member to fill the vacancy.

(e) All the above office-bearers except for the posts of the Secretary, the Assistant Secretary and the Treasurer shall be filled by election at the Triennial General Meeting of the Unit Assembly.

(f) The following office-bearers shall be appointed by the Chairman in accordance with the Unit Committee:-

(i) A Secretary
(ii) An Assistant Secretary
(iii) A Treasurer

(5) Duties of Unit Office Bearers

(a) The Chairman

(i) The Chairman shall preside at all meetings of the Units and shall be responsible for the proper conduct of all such meetings.

(ii) He shall have a casting vote and shall sign all minutes at the time they are approved.

(b) The Vice Chairman

(i) The Vice Chairman shall deputise for and on behalf of the Chairman in the absence of the later.

(c) The Secretary

(i) The Secretary shall conduct the business of the Unit in accordance with the policies, rules and regulations of SABERKAS.

(ii) He shall be responsible for all administrative machinery of SABERKAS.

(d) The Assistant Secretary

(i) He shall assist the Secretary in the performance of his duties.

(e) The Treasurer

(i) The Treasurer shall be responsible for all the finance and financial transactions of the Unit.

(ii) He shall keep all accounts for all the finance and financial transactions of the Unit.

(iii) He may held a petty cash of not more than RM 50.00 at any one time.

(iv) He shall deposit any other money of the Unit with a bank appointed by the State Committee.

(v) He shall not sanction any expenditure exceeding RM 150.00 at any one time without the prior approval of the Unit Committee.

(vi) He shall together with the Chairman or Vice Chairman or the Secretary or Assistant Secretary of the Unit Committee sign any two of the three or four signatories for all cheques or banking transactions on behalf of the Unit Committee

CLAUSE 30 **TRANSITIONAL PROVISIONS APPLICABLE**

ARTICLE 30

To Branch and Unit Assembly

Where no special provisions have been made in these rules for any matters relating to the management of the Branch Assemblies and Units of SABERKAS, the relevant rules relating to the management of the headquarters organisation shall be followed in so far as is applicable.

CLAUSE 31 **TRIENNIAL RETURN**

ACTICLE 31

(1) The Units and Branch Assembly shall forward to the Secretary-General immediately after their respective Triennial General Meetings, the annual return in the prescribed form as in Schedule III provided by the State Committee together with the following:-

(a) five (5) copies of a list of the newly elected office-bearers (with particulars as required in Schedule IV).

(b) four (4) copies of a duly audited Statement of Accounts for the previous year (in format as in Schedule V); and

(c) Such other information as the State Committee may require.

CLAUSE 32 **MEMBERSHIP REGISTER**

ARTICLE 32

(1) There shall be kept by the Secretary-General, the Branch Secretary and Unit Secretary, a separate register of members.

(2) The register shall contain such particulars as directed by the State Committee.

CLAUSE 33 **PATRONS**

ARTICLE 33

The State Assembly may invite a suitable personality to become its patron.

CLAUSE 34 **MOTTO**

ARTICLE 34

The motto of SABERKAS shall be “*BERBAKTI*”

JADUAL I
SABERKAS
BORANG PERMOHONAN KEAHLIAN
Fasal 4(2)(a)

(Diisi dalam dua salinan)
1. Nama.....(dengan tulisan Mandarin)
2. No. K.P..... 3. Tarikh..... 4. Dikeluarkan di.....
5. Tarikh dan tempat lahir..... ……6. Jantina.....
7. Bangsa/Agama..... 8. Warganegara.....
9. Kelayakan.....
10. Pekerjaan..... 11. Alamat surat-menyurat.....
12. Alamat rumah.....
13. Saya juga ahli dalam pertubuhan/persatuan:

Nama	Alamat
.....	…….....
.....	.....
.....	.....

.....

PENGAKUAN

Saya yang bertandatangan di bawah dengan ini mengaku bahawa butiran yang diberikan di atas itu benar dan betul dan bahawasanya saya akan mematuhi dan mendukung Perlembagaan dan Peraturan SABERKAS.

.....
Tandatangan pemohon
.....

Butiran Peribadi Pencadang dan Penyokong

Nama.....	Nama…….....
Aalamat.....	Alamat.....
.....	.....
Tandatangan Pencadang.....	Tandatangan Penyokong.....
Tarikh.....	Tarikh.....

.....

Kegunaan Pejabat sahaja

Dikemukakan kepada dan diluluskan/tidak diluluskan*oleh Jawatankuasa Cawangan dalam mesyuarat yang diadakan pada.....

Tarikh..... .....
Tandatangan Setiausaha Cawangan

Schedule II
SABERKAS
Clause 29(2(a)(iii)

1. To approve the Minutes of the previous Annual General Meeting

2. Matters arising from the minutes

3. To receive and approve the Committee Reports

4. To receive the Treasurer's Report and the audited accounts of the unit for the previous year

5. To elect representatives to attend the Branch Triennial Assembly

6. To appoint the auditors for the following year

7. To elect the Triennial Committee

8. To discuss other matters that may be raised by members

JADUAL III
SABERKAS
Fasal 31(1)
MAKLUMAT YANG PERLU DIKEMUKAKAN OLEH CAWANGAN-CAWANGAN DAN UNIT-UNIT PADA TIAP-TIAP TAHUN

Ruj. Kami:…….

Kepada:
Setiausaha Agung Saberkas Negeri / Setiausaha Cawangan
.....
..... Tarikh: .....

(1) Nama Cawangan/Unit
.....
.....
(2) Alamat tempat urusan
.....
.....
(3) Jumlah ahli pada akhir tahun kewangan .....
(4) Empat (4) salinan yang benar dan lengkap bagi tiap-tiap pindaan kepada peraturan-peraturan Cawangan/Unit itu yang dibuat semenjak tarikh penyata yang akhir (Tulis “Tiada” jika tidak ada pindaan peraturan telah dibuat).
(5) Tiga (3) salinan senarai yang benar dan lengkap menunjukkan jawatan, nama (bagi orang Cina, nama dalam tulisan Mandarin hendaklah juga disertakan), nombor kad pengenalan, tarikh lahir, tempat lahir, keturunan, pekerjaan, nama dan alamat majikan dan alamat tempat tinggal bagi semua ahli jawatankuasa dan penasihat Cawangan/Unit ini bagi tahun .....(Huraian 2)
(6) Dua (2) salinan yang benar minit mesyuarat agung tahunan yang diadakan oleh Cawangan/Unit itu dalam tahun .....
(7) Dua (2) salinan penyata Penerimaan dan Pembayaran serta kunci kira-kira bagi tahun tutup kirakira pada .....
(8) Dua (2) salinan keterangan yang menunjukkan butir-butir berkenaan dengan geran atau surat-surat milik bagi segala harta yang dipunyai oleh Cawangan/Unit pada akhir tahun kewangan. (Tulis “tiada” jika tiada memiliki harta).
(9) Dua (2) salinan senarai nama dan alamat mana-mana Cawangan/Unit, persatuan kesatuan sekerja atau mana-mana kumpulan orang lain, yang diperbadankan atau tak diperbadankan, di luar Persekutuan yang bergabung dengan Cawangan/Unit itu pada tarikh .....
(Tulis “Tiada” jika Cawangan/Unit itu tiada mempunyai pergabungan di luar persekutuan).
(10) Dua (2) salinan senarai perihal apa-apa wang atau harta, apa-apa faedah atau keuntungan pekuniari yang diterima oleh Cawangan/Unit itu daripada mana-mana orang yang lazimnya bermastautin di luar Malaysia atau sesuatu organisasi, pihak berkuasa, kerajaan, atau agensi
mana-mana kerajaan, di luar Malaysia bagi tahun tutup kira-kira pada ..... (Tulis “Tiada” jika Cawangan/Uit itu tiada menerima apa-apa wang atau harta di luar Malaysia)

Tandatangan: ..... Tandatangan: .....
Nama: ..... Nama: .....
Jawatan: ..... Jawatan: .....

Tandatangan:.....
Nama: .....
Jawatan: .....

SCHEDULE IV
Clause 31(1)(a)

Five (5) copies of the list of newly elected committee members shall state:

1. Names of committee members (including Mandarin scrip for Chinese names)
2. Their positions
3. Identity card numbers
4. Date and place of birth
5. Occupation and work / office address
6. Home address
7. Citizenship

JADUAL V
Fasal 31(1)(b)
PENYATA ”A”

(i) PENYATA RESIT DAN PEMBAYARAN UNTUK TAHUN.....
KEPADA.....

RESIT PEMBAYARAN

RM SEN	RM SEN
a. Baki pada permulaan yuran tahunan daripada derma ahli	a. Sewa, kadar dan cukai.....
	b. Gaji.....
	c. Alat tulis, pencetakan dan bayaran pos ……
	d. Perbelanjaan lain (nyatakan) .....
	e. Baki pada penghujung tahun .....
JUMLAH:	**JUMLAH:**

(ii) KUNCI KIRA-KIRA SEPERTI PADA .....

LIABILITI	**ASET**
RM SEN	RM SEN
a. Amaun dana am	a. Tunai – Di tangan
	(1) Bendahari .....
b. Pinjaman dari.....	(2) Di Bank .....
c. Hutang ditanggung	b. Sekuriti .....
d. Liabiliti lain (nyatakan)	c. Harta tak alih .....
	d. Barang-barang dan Perabot …….……....
	e. Penghutang rampai .....
	f. Aset lain (nyatakan) .....
JUMLAH:	**JUMLAH:**

LAMPIRAN

Bertarikh dan ditandatangani oleh yang berikut pada 31 Mac 1973 pada Majlis Pelancaran Rasmi SABERKAS di Pusat Pelbagai Guna, Jalan Datuk Ong Kee Hui, Kuching, Sarawak, Malaysia

MAJLIS BELIA SARAWAK (MBS)

1. Encik Ahmad Shafie Haji Yaman - Presiden MBS
2. Encik Abdul Rahman Fadzail - MBS, Kuching
3. Encik Kiprawi Kolek - MBS, Kuching
4. Encik Desmond Aseng - MBS, Kuching
5. Encik Salleh Haji Razak - MBS, Kuching
6. Encik Ariff Sedi - MBS, Kuching
7. Encik William Juah - MBS, Kuching
8. Encik Sim Kwang Meng - MBS, Kuching
9. Encik Radin Haji Suip - MBS, Kuching
10. Encik Benjamin Timban - MBS, Simanggang
11. Encik Mustapha Salleh - MBS, Simanggang
12. Encik Rosly Johnny - MBS, Sibu
13. Encik Onn Haji Ariffin - MBS, Kuching
14. Encik Paul Teo Choo Tee - MBS, Sibu
15. Encik Awang Ali Basah - MBS, Sibu
16. Encik Sim Teck Seng - MBS, Miri
17. Encik Mathew Julin - MBS, Sibu
18. Encik Morshidi Haji Husly - MBS, Miri
19. Encik Ariffin Haji Ibrahim - MBS, Limbang
20. Encik Salleh Abdul Rahman - MBS, Limbang
21. Encik Jaafar Othman - MBS, Limbang

GABUNGAN KELAB BELIA MELAYU SARAWAK

1. Encik Samat Taba - Presiden Gabungan Kuching
2. Encik Kassim Daud - Gabungan Kuching
3. Cik Maliah Sebli - Gabungan Kuching
4. Encik Hussaini Haji Hamdan - Gabungan Kuching
5. Encik Johnny Haji Umar - Gabungan Kuching
6. Encik Abdul Wahab Satim - Gabungan Kuching
7. Encik Drahman Pa'ee - Gabungan Kuching
8. Encik Wan Hamid - Gabungan Kuching
9. Cik Johrah Haji Obeng - Gabungan Kuching
10. Encik Mohd. Yusuf Haji Amir - Gabungan Saratok
11. Encik Wan Akil Mahmud - Presiden Gabungan Sebuyau
12. Encik Abu Bakar Hamid - Gabungan Sibu
13. Encik Masleh Haji Wan - Gabungan Bintulu

KELAB BELIA BIDAYUH KUCHING

1. Encik. Eklim Jaboh - Kelab Belia Bidayuh, Kuching
2. Encik Henry G. Langgie - Kelab Belia Bidayuh, Kuching
3. Encik Sylvester Derby Kureng - Kelab Belia Bidayuh, Kuching
4. Encik Lawrence Anos Sabe - Kelab Belia Bidayuh, Kuching

PEMERHATI

1. Encik Abu Bakar Haji Bohari
2. Encik Ibrahim Hamid
3. Encik George Hugh
4. Encik Daniel Teho
5. Encik Jimit Dimbu
6. Encik Daniel Ragam
7. Encik Sylvester Juan

KEMENTERIAN KEBUDAYAAN, BELIA DAN SUKAN SARAWAK

1. Encik Safri Awang Zaidell
2. Encik Said Haji Bolhassan
3. Encik Francis Rigos Ribon

JABATAN KEBUDAYAAN, BELIA DAN SUKAN MALAYSIA, SARAWAK

1. Encik Hasbie Bin Sulaiman