

CONSTITUTION OF THE SARAWAK BRANCH OF THE BOY SCOUT ASSOCIATION, MALAYSIA

I. NAME

The name of the Association shall be "Sarawak Branch of the Boy Scouts Association, Malaysia". The postal address of the Association is P.O. Box 852, Kuching Sarawak.

The Sarawak Branch (which shall comprise the State of Sarawak) shall be administered by a Scout Council.

The Sarawak Branch, and all parts of it, shall be bound by and shall in all cases act in accordance with Rules of the Boy Scouts Association as published from time to time by Headquarters, subject nevertheless to any variation therefrom which may be allowed in any particular case by Headquarters.

II. THE AIMS OF THE ASSOCIATION

The aim of the Association is to develop good citizenship among boys by forming their character - training them in habits of observation, obedience and self-reliance - inculcating loyalty and thoughtfulness for others - teaching them services useful to the public and handicrafts useful to themselves - promoting their physical, mental, and spiritual development.

III. THE PLACE OF MEETING AND BADGES OF THE ASSOCIATION

- I. The place of meeting shall ordinarily be the Headquarters of The Association, Batu Lintang Road, Kuching.
- II. The flages, badges and emblem and other insignia are those ordinarily used by the Boy Scouts of Malaysia.

IV. THE CHIEF SCOUT OF SARAWAK

The Chief Scout of Sarawak shall be the Governor of Sarawak, provided he is willing to accept the position.

In the event of the Governor being unwilling, no Chief Scout shall be appointed, and the Chief Commissioner shall carry out in addition to his own duties all those conferred by this Constitution upon the Chief Scout of Sarawak.

A warrant for the appointment of the Chief Scout of Sarawak shall be issued by Federation Headquarters and signed by His Majesty the Yang Di-Pertuan Agong.

The functions of the Chief Scout of Sarawak shall be as follows :

1. To foster and encourage the Movement in the state of Sarawak as opportunity may arise.
2. To countersign the warrant of all Scouters in the State of Sarawak.
3. To approve action by the Chief Commissioner under Clause V(3).
4. To select an acting Chief Commissioner where to necessity arise under Clause V.

V. THE CHIEF COMMISSIONER OF SARAWAK

The Chief Commissioner shall be appointed by Federation HQ on the recommendation of the Sarawak Scout Council, and shall receive a warrant signed by the Chief Scout of the Federation and countersigned by the Chief Scout of Sarawak.

One or more Assistant Chief Commissioners may be appointed by Federation Headquarters on the recommendation of the Chief Commissioner to exercise such of his functions as he may delegate provided nevertheless that the Chief Commissioner may continue to exercise all or any of his powers and duties not withstanding any such delegation.

In the event of there being no Chief Commissioner, the Assistant Chief Commissioner (or the senior if more than one) shall act as Chief Commissioner for the time being.

In the event of there being no Assistant Chief Commissioner, the Chief Scout of Sarawak shall have power to select in conjunction with the Chairman of the Sarawak Scout Council a person to act as Chief Commissioner for so long as the necessity may continue, or until a new appointment is made.

The functions of the Chief Commissioner shall be as follows:

1. To be responsible to Federation HQ for the welfare, progress and training of the Movement and for the maintenance of the policy, organisation and rules of the Association.
2. To promote the organisation and effective working of the Sarawak Scout Council.
3. To act in conjunction with the Sarawak Scout Council in all matters connected with the Council Finance and property.
4. To secure the services of persons suitable for appointment as Commissioners and to deal with questions concerning their warrants as laid down in the rules of the Association and this Constitution.
5. To promote the organisation and effective working of Local Associations and to deal with the questions concerning their registration in accordance with the rules laid down, and to receive from Local Association at the end of Scout year, copies of their annual report and audited accounts with a schedule of Local Association property.

6. To confer at his discretion until 31st December following the corresponding honorary rank upon a Commissioner giving up his warrant with power to renew from year to year.
7. To deal with questions relating to awards.
8. To perform or otherwise to arrange in accordance with the rules in force at the time for the performance of the functions of the District Commissioner in any district during a vacancy in that office.
9. To give decision and where so provided to report to FHQ on all matters referred to him as directed in the rules of the Association and in particular in the case of disagreement between a District Commissioner and a Local Association.
10. To settle any dispute between members of the Movement and where necessary to take action in accordance with the rules.
11. To attend, if he so desires, meetings of the committee of the Federation Scout Council.
12. To co-operate and maintain good relations with the Girl Guides and other youth organisations and bodies concerned with the welfare of youth in Sarawak and with the B-P Scout Guild.
13. To define the areas of Local Associations.

VI. THE SCOUT COUNCIL OF SARAWAK

The functions of the Scout Council of Sarawak (hereinafter) called "the Council" shall be as follows:

- I. To promote the welfare of the Movement in Sarawak and arrange for harmonious co-operation between the Local Associations and with other organisations as under:
 - (a) To co-ordinate with the Chief Commissioner in forming Local Associations and defining their boundaries and to foster and encourage the principles of the Boy Scouts Association in the State of Sarawak.
 - (b) To act in all matters connected with Council finance and property.
 - (c) To appoint an Executive Committee with such sub-Committees of which the members need not all be members of the Council, as may be found desirable for special duties, provided that in the sub-Committees the majority of members shall be the Boy Scouts Association.
 - (d) To raise and administer funds for administrative, training and other purpose for the furtherance of Scouting in Sarawak in such manner as the Council may deem desirable.
 - (e) To establish and maintain a Local Headquarters office and to act as a channel of information and correspondence between Federation HQ and Local Associations.

- (f) To hold an Annual General Meeting in April or any other month each year and to forward to Federation Headquarters each year a copy of its annual report and audited accounts.
- (g) When the Council deem desirable to carry on propaganda, to produce publications and organise meetings, demonstrations, rallies, conferences and other undertakings where the interests of Scouting in Sarawak as a whole are concerned.
- (h) With the concurrence of the Chief Commissioner to register and/or remove from the register Local Association.
- (i) With the concurrence of the Chief Commissioner on the recommendation of the Local Association and District Commissioner concerned to register groups and to issue warrants countersigned by the Chief Scout of Sarawak up to and including the rank of District Commissioner to register groups and similarly to withdraw such warrants or remove groups from the register.

2. Membership of Council

The officers of the council, as provided below, as elected at the annual general meeting:

- (a) The President
Vice President
Hon. Chairman
Hon. Secretary
Hon. Treasurer
- (b) All Commissioners appointed for duty in Sarawak.
- (c) The Secretary of each Local Association together with two other representatives (one Scouter, other than a Commissioner and one lay) appointed annually by the Local Association.
- (d) Other persons co-opted annually, including representatives of bodies with whom it is desired to maintain co-operation e.g. Girl Guides, Rotary, local education or other government authorities, religious bodies, boys or other organisations, B-P Scout Guild.

Any casual vacancy whether of officer or member of the council may be filled until the next Annual General Meeting of the Council, by the Executive Committee.

3. The Executive Committee

The Executive Committee shall comprise:

- (a) The Hon. Chairman of the Council, who will also be Chairman of the Executive Committee.
- (b) The Hon. Secretary of the Council, who will also be Hon. Secretary of Executive Committee.
- (c) The Hon. Treasurer of the Council who will be also be Hon. Treasurer of Executive Committee.

- (d) The Chief Commissioner and Assistant Chief Commissioner.
- (e) All District Commissioners.
- (f) Any Assistant District Commissioner appointed by Chief Commissioner to so act subject to the approval of the Council at its Annual General Meeting.
- (g) One lay representative from each Local Association nominated by the Local Association.
- (h) The Co-opted members.

Any casual vacancy occurring among representatives nominated by Local Associations shall be filled by the Local Association concerned, until the following Annual General Meeting of the Council.

Any casual vacancy occurring among the co-opted member shall be filled by the Executive Committee until the following Annual General Meeting of the Council.

The Committee may delegate any of its power to sub-committee consisting of the two or more members of the Committee and such other person or persons not necessarily members of the Council, for special duties.

4. Meetings of the council.

- (a) The Council shall meet once a year for its General Meeting, and the president shall take the chair at this meeting. All meetings shall be convened by the Hon. Secretary, when so directed by the Chief Commissioner or the Chairman of the Council or by the Committee or when requested in writing by ten or more members of the Council.
- (b) At the Annual General Meeting, the Council shall consider the Annual Report of the Committee and a statement of the accounts the appointment of officers as provided above, the appointment of an Assistant Honorary Secretary if desired; the appointment of an Auditor or Auditors; receive notification of members appointed under para 2 (c); the co-option of members of the Council; the election of the Executive Committee and any other business specified in the notice convening the meeting of which two thirds of the members present at the meeting may decide to admit to the Agenda; but no resolution under clause VII shall be effective unless notice has been given as therein provided. Twenty days notice in writing shall be given to all members.
- (c) Ten members present at a General Meeting shall form a quorum.
- (d) Every member of the council personally present shall have one vote; provided nevertheless that Council may so regulate its procedure as to permit of voting by proxy according to such rules as

the Council think fit. In case of an equality of votes, the Chairman of the meeting shall not have a casting vote in addition to the vote to which he is entitled as a member and the resolution shall be deemed not have been carried.

- (e) The secretary shall give all members at least 20 days notice of meeting and circulate the agenda of such meeting not less than 14 days before such meetings. Notice of business to be placed on the agenda shall be sent to the Secretary at least 30 days before the time appointed for the meeting.
- (f) The financial and business year of the Council shall be from January 1st to December 31st.

5. The Executive Committee.

- (a) The management of the business of the Council shall be vested in an Executive Committee constituted as provided under Clause VI, para 3. The Executive Committee may, subject to the provisions of this Constitution and to any direction given by the Council, exercise all powers and perform all the functions of the Council except those expressly required or directed to be exercised or performed by the Council.

It shall be the duty of the Executive Committee to lay before the Council at its Annual General Meeting each year, a report of the year's activities including reports from all District and/or Local Associations, and accounts and a balance sheet in accordance with Clause VI para 1 (f)

- (b) To receive and approve the annual reports and audited statement of account of all Districts or Local Associations which must be submitted to the Hon. Secretary of the Council and Committee not later than January 31st each year.
- (c) To elect where applicable and in accordance with such arrangement as may be in force, representative from the Sarawak Scout Council to the Federation Scout Council.

The Committee shall meet together for the despatch of business and its first time meeting after the annual meeting shall determine the quorum necessary for the transaction of business and notice that is to be given of any meeting.

6. Finance.

- (a) The Council derives its funds from Government Grants, public or private donations and support, Job Week earning, profits arising from sale of equipment, etc.

The Council shall maintain a banking account, the cheques on which shall be signed by the Chief Commissioner or any of his Assistants so authorised by him, or the Chairman or Secretary and countersigned by the Hon. Treasurer but in the absence of the Hon. Treasurer, cheques may be signed by any two of the foregoing.

(b) The Hon. Treasurer shall :

- (i) receive all monies on behalf of the Association, and keep an account of all funds in the form approved;
- (ii) not pay out any money exceeding RM500/- without the prior approval of the Executive Committee;
- (iii) be a member of the Federation Finance sub-committee if so required;
- (iv) keep true accounts of assets and liabilities of the Association.

The book of the account shall be opened to inspection by the Chief Commissioner and/or any of his Assistants appointed by him, or the Chairman, or Secretary and any other person or persons as the Committee may determine.

(c) The accounts shall be audited once in each year and an account showing the result of the year's working, together with a Balance Sheet certified by the Hon. Auditor appointed by the Association, shall be laid before the Annual Meeting of the Association.

- (d) (i) The property of the association shall be vested in a board of trustees consisting of the three members who shall not include the Secretary or Treasurer shall be appointed at the Annual General Meeting. They shall hold office for three years.
- (ii) The Trustees shall have vested in them all the real and personal estate whatsoever belonging to the Association and shall deal with it in such manner as the Association may by resolution at a General Meeting direct;
 - (iii) The Trustees shall not sell, withdraw or transfer any of the property of the Association without the consent of the Committee and authorised in writing on behalf of the Committee by the Secretary and Treasurer.
 - (iv) A trustee may be removed from office by resolution of the Association at any General Meeting on the grounds that he is unable or that for any reason he is no longer suited to perform his duties. In the event of the death or removal of a trustee between Annual General Meeting the Committee shall appoint an interim trustee.

The Hon. Secretary shall act as Secretary of the Association of the Executive Committee and perform such other duties as may be allotted to him and shall maintain liaison and direct contact with the Headquarters and Local Association. If he so desires, he may attend the Federation Scout Council or Committee.

8. Bye-Laws

The Association shall have power at meeting called for the purpose to make such bye-laws as may from time to time be found desirable, and to vary or cancel the same, for the conduct of meetings of the Association, the Executive Committee and of any Sub-Committee, provided nevertheless that such bye-laws shall not conflict in any provisions of this Constitution and a copy of all such bye-laws and of any amendments thereof shall be sent to Federation Headquarters for record.

VII ALTERATIONS TO THE CONSTITUTION.

No addition to or abrogation or variation of this constitution shall be effective unless approved by two thirds of the members present either personally or by proxy at a meeting of which not less than one month's notice in writing has been given to all members of the Association, setting out the exact terms of the proposals to be considered.