

CONSTITUTION

INSTITUT PENGURUS HARTA DAN FASILITI PROFESIONAL MALAYSIA

(MALAYSIAN INSTITUTE OF PROFESSIONAL PROPERTY AND FACILITY MANAGERS) (MIPFPM)



1. Name

The Society shall be known as the “Institut Pengurus Harta Dan Fasiliti Profesional Malaysia” (Malaysian Institute Of Professional Property And Facility Managers) (MIPFPM) hereinafter referred as “ The Institute ”.

2. Place of Business

(1a) The registered address is Suite 1, Level 1, No 64-66, Jalan 52/4, Petaling Jaya 46200, Petaling Jaya, Selangor ~~or at such other place as may from time to time be decided by the Committee~~; and the postal address is P.O Box 10259, Bangunan Dayabumi Kuala Lumpur, 50708, Kuala Lumpur, Wilayah Persekutuan Kuala Lumpur

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

3. Logo

(to be redesigned, essentially replace second P with F and change the wordings to Malaysian Institute of Property And Facility Managers)

Description : Picture of the skyscraper represents the highrise buildings and properties. Orange colour around MIPFPM wording symbolizes strength and kinship. ‘MIPFPM’ word in white represents purity and prosperity. Malaysian Institute of Professional-Property And Facility Managers word in blue represents dependability, wisdom and loyalty.

4. Aims and Objectives

(1) To promote the role of Property Managers, Asset Managers and Facilities Managers in Malaysia as well to respect and uphold the intergrity of the profession of Property and Facilities Managements and recognising its Governing body, the Board of Valuers, Appraisers, & Estate Agents & Property Managers Malaysia.

(2) To upkeep and promote the development of the profession of Property Managers, Asset Managers and Facilities Managers through active participation ~~of in~~ the profession’s development and state of affairs, ~~of The Royal Institution of Surveyors, Malaysia (RISM) and the Persatuan Penilai, Pengurus Harta, Ejen Harta & Perunding Harta Swasta Malaysia (PEPS) and common with~~ representation in the Governing body

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- (3) To provide a forum for the promotion of any cause common to the business interests of members.
- (4) To foster, maintain and preserve the integrity and status of members of The Institute, to sustain honourable practice, to discourage malpractice and to encourage actively strict observance of the Code of Ethics and the Code of Professional Conduct prescribed by the Institute and the Governing body, Association.
- (5) To promote, research and encourage the members of the Institute Association to keep abreast with latest developments relating to the practice of property management, asset management, facilities management or any of its allied subjects.
- (6) To maintain and make available to the public an up-to-date list of members of the Institute, Association
- (7) To acquire, sponsor, promote, organize, conduct, manage or finance or assist in the acquiring, sponsoring, promoting, organizing, conducting, managing or financing of conferences, conventions, exhibitions, trade fairs, stands or displays or other commercial ventures that are related to the objects of the Institute, Association whether as principals or jointly in partnership with any person, company, or a Association.
- (8) To acquire and own real estate for use of the Institute in line with its objectives.
- (9) To enter into strategic partnership with third parties or to form or incorporate subsidiary companies in furtherance of the objects of the Institute.

- (10) To set up and maintain a panel for the appointment of arbitrators, mediators and adjudicators for the resolution of disputes that are in the areas of competence of Property Managers, Asset Managers and Facility Managers to resolve as arbitrators, mediators and adjudicators.
- (11) The income and property of the Institute Association shall be applied solely towards the furtherance, promotion and execution of the objectives of the Institute Association and no portion thereof shall be paid by way of dividend to the members, that nothing herein expressed or contained shall prevent the payment in good faith of remuneration or expenses or both to any Member or Officer of the Institute Association or other person or persons for services actually rendered by him or her or them to the Institute Association.
- (12) To promote education and training and to hold examinations to qualify members of the Institute Association.

5. 5.

Membership

- (1) Membership of the Institute shall be of individuals and consist of ordinary Members and Fellows who shall be issued with a Certificate which shall remain as the property of the Institute..
- (2) Membership shall be opened to any Malaysian citizens and permanent residents above the age of 2148.
- (1)(3) The membership for ordinary members shall be based on either of the requisites as below :-

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- I. Applicant is registered to practice property management with the Governing body.
- II. Applicant has qualified with Advance Diploma or Degree in estate management or property management from an university locally or abroad recognized by the Governing body and has a minimum two (2) continuous years of working experience in property or facilities management.
- III. Applicant has more than five (5) continuous years working experience in managerial role in property or facilities management and it is his principal work/calling.

(4) There shall also be Associates of the Institute who will be acknowledged and issued a Letter confirming their status as Associates of the Institute.

(5) Associates of the Institute shall include those in the property and facilities management industry carrying out various component scope of the property and facilities management including accounting and technical fields and those with less than the required years of experience to be ordinary members of the Institute

(2)(6) Every application for ordinary membership or associate shall be accompanied with the prescribed form and evidence of registration and/or qualification and/or record of experience whichever applicable.

(3)(7) Every applicant for ordinary membership or associate shall be proposed and seconded by two existing members and shall be forwarded to the Secretary General who shall at the first convenient opportunity, submit it to the Committee for approval. The committee may at its

discretion reject any application without assigning any reason thereof.

(4)(8) At the discretion of the Committee the applicant for ordinary membership or associate may be called for a professional interview for clarification.

(9) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed entrance processing fee and first annual subscription, be admitted as an ordinary member or associate of The Institute and shall be entitled to all the privileges of membership.

(10) An ordinary member who is above the age of 35, who has served the Committee and/or recognized for serving the profession can either apply in writing or be nominated by the Committee for the membership class of Fellow.

(11) The ordinary member who is approved by the Committee for the class of Fellow shall upon payment of the relevant prescribed subscription, be upgraded to the class of Fellow and issued a Certificate indicating the status as Fellow.

(12) The designation for the various classes is distinguished by the initials after their names as follows:-

- 1. Every Fellow is entitled to use the initial FMIPFM, (which is an abbreviation for Fellow of the Malaysian Institute of Property and Facility Managers).

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2. Every Member is entitled to use the use the initial MMIPFM, (which is an abbreviation for Member of the Malaysian Institute of Property and Facility Managers.)

3. Every Associate is entitled to use the initial AMIPFM, (which is an abbreviation for Associate of the Malaysian Institute of Property and Facility Managers)
(5)

6. Entrance Fees, Subscriptions and other dues.

(1) The entrance processing fee —and subscription payable shall be as follows:-

Entrance processing fee RM 50.00~~RM~~

Yearly subscription

Ordinary Member – RM 75.00~~50 (Ringgit Malaysia Fifty Only.)~~

Fellow - RM100.00

Associate – RM50.00

(2) All yearly subscription shall be payable to the Treasurer General in advance of the first day of each year.

(3) Any member or Associate—who allows subscription~~his~~ arrears to exceed two years subscriptions shall receive a written notification signed by or on behalf of the Secretary General, and shall be denied the privileges of membership until the defaulter~~he~~ settles the~~his~~ account.

(4) Any defaulter~~member~~ who allows the~~his~~ arrears to exceed three years subscription shall automatically cease to be a member or associate of the Institute,

and the Committee shall require the defaulter to surrender the Certificate of Membership /Letter and may direct legal action be taken against him, provided that they are satisfied that the defaulter~~he~~ has received due notice of the~~his~~ debts.

(5) Special subscriptions or levies for particular purposes may be raised from members by resolution of the general meeting of the Institute. If any member fails to pay such subscription/levies within such period as may be resolved, the amount due shall be treated in the same way as arrears of yearly subscription.

~~(5)~~(6) Any member or associate requesting a fresh membership certificate or letter will be required to pay a replacement fee for processing of RM50.00 and make declaration of the missing certificate/letter.

7. Resignation & Termination

(1) Any member or associate who wishes to resign from the Institute shall give two weeks' notice in writing to the Secretary General and shall pay up all dues.

(2) Any member or associate who fails to comply with the rules of The Institute or has acted in a manner to bring disrepute upon The Institute may be expelled or suspended for a period of time as the Committee deems fit. Before the Committee expels or suspends the member or associate, the ~~member~~ or associate shall be informed of the grounds for such expulsion shall be enforced, unless otherwise reversed by a general meeting upon appeal by the said member.

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- (3) Any member or associate who is declared bankrupt as per section 3(3) of the Bankruptcy Act 1967 and in undischarged will automatically cease to be a member of the Institution

8. General Meeting

~~(1)~~ (1) The voting members shall be only the Ordinary members and Fellows of The Institute.

~~(1)(2)~~ (2) The supreme authority of the Institute is vested in a general meeting of the members consisting of Ordinary members and Fellows. At least one-half of the voting membership of the Institute or the voting members present represent twice the total number of committee members, whichever is the lesser, must be present at a general meeting for its proceedings to be valid and to constitute a quorum.

~~(2)(3)~~ (3) If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding 30 days) to be decided by the Committee; and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have the power to proceed with the business of the day but shall not have the power to alter the rules of the Institute or make any decision affecting the whole membership.

~~(3)(4)~~ (4) An annual general meeting of the Institute shall be held as soon as possible after the close of each financial year but not later than June on a date and a time and place to be decided by the Committee. The period between annual general meetings shall be

called a term. The business of the annual general meeting shall be:-

- (a) To receive the minutes of the previous annual general meeting;
- (b) To receive the Committee's report on the working of the Institute during the previous year;
- (c) To receive the Treasurers' report and the audited accounts of the Institute for the previous year;
- (d) To elect a Committee and to appoint Honorary and external auditors for the ensuing term;
- (e) To deal with such other matters as may be put before it.

~~(4)(5)~~ (5) The Secretary General shall send to all members at least fifteen (15) days before the meeting a notice of General Meeting together with an agenda including copies of minutes and reports, together with the audited accounts of the Institute for the previous year. Copies of these documents if posted on the website is deemed to have been served and shall also be made available at the registered place of business of the Institute for the perusal of members.

~~(5)(6)~~ (6) An extraordinary general meeting of the Institute shall be convened:-

- (a) Whenever the Committee deems it desirable; or

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(b) At the joint request in writing of not less than twice the number of committee members, stating the objects and reasons for such meeting.

~~(6)~~(7) An extraordinary general meeting requisitioned by members shall be convened for a date within thirty days of the receipt of such requisition.

~~(7)~~(8) Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary General to all members at least fifteen (15) days before the date fixed for the meeting.

~~(8)~~(9) Paragraphs 8 (1) and 8 (2) of this rules regarding the quorum and the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the provision that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by the members, the meeting shall be cancelled, and no extraordinary general meeting shall be requisitioned for the same purpose until after the lapse of at least six months from the date thereof.

9. Committee

Herein referred to as the Committee elected at the annual general meeting shall consist of four (4) Executive Officers and six (6) Ordinary Committee Members provided that not more than two (2) of those elected shall be practicing in the same group of firm or partnership to serve in the following positions :-

A President

A Deputy President

A Secretary General

A Treasurer General

Not more than six (6) and not less than four (4) Ordinary Committee Members

1. The Committee shall take office immediately after the annual general meeting
2. No member of the committee can hold the same office for more than two consecutive terms.
3. At least seventy percent (70%) of the Committee Members referred shall be registered with the Governing body to do property management according to the laws of the country.
4. The Immediate Past President shall be an Ex-officio member of the Committee.
5. In addition to the above, the Committee may invite not more than ~~two~~four (4- 2) additional members from the Governing body who are members of the Institute and who are not already elected as members of the Committee to the Committee.

~~5-6.~~ The Committee may also appoint Regional Representatives from amongst its ordinary members to assist The Institute to carry out its programmes in those regions as identified by the Committee.

~~6-7.~~ All except the President intending to hold office for the second consecutive term will need to seek reelection at the annual general meeting. Such intention to hold office for the second consecutive term by the President should be circulated together with the Notice of the General Meeting. The General Meeting with a motion proposed and seconded may vote in simple majority not to accept a President's intention to hold office for a second consecutive term.

~~7-8.~~ All Committee members of the Institute and every officer performing executive functions in the Institute shall be Malaysian Citizen

9. Names for the above offices in paragraph (1) shall be proposed and seconded at the general meeting and election will be by a simple majority vote of the members at the ~~annual~~ general meeting.

~~8-10.~~ Anyone intending to be nominated for the offices in paragraph (1) must be present at the general meeting and in the exceptional circumstances that the member is unable to attend, present a signed consent letter for nomination for the particular office to the

Secretary General, three (3) days prior to the general meeting.

~~9-11.~~ The function of the Committee is to organize and supervise the day-to-day activities of the Institute and to make decisions on matters affecting its running within the general policy laid down by the general meeting. The Committee shall not act contrary to the expressed wishes of the general meeting without prior reference to it and shall always remain subordinate to the general meeting. It shall furnish a report to each annual general meeting on its activities during the previous term.

~~10-12.~~ The Committee shall meet at least once every two months, a fifteen (15) days notice of each meeting shall be given to the members. The President acting alone, or not less than three of its members acting together may call for a meeting of the Committee to be held at any time. At least one half of the committee must be present for its proceedings to be valid and to constitute a quorum.

~~11-13.~~ Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary General may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Committee is deemed to have been obtained;

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- a. The issue must be clearly set out in the circular and forwarded to all members of the committee;
- b. At least one-half of the members of the Committee must indicate whether they are in favour or against the proposal; and
- c. The decision must be by a majority vote.

Any decision obtained by circular letter shall be reported by the Secretary General to the next Committee Meeting and recorded in the minutes thereof.

~~12~~14. Any member of the Committee who fails to attend three consecutive meeting of the committee without satisfactory explanation shall be deemed to have resigned from the Committee.

~~13~~15. In the event of the ~~death~~ or resignation of a member of the Committee, the Committee shall have the power co-opt any other member of the Institute for the vacancy until the next election of the committee.

~~14~~16. The Committee shall give instructions to the Secretary General and other officers for the conduct of the affairs of the Institute. It may appoint such officers and such staff as it deems necessary. It may suspend or dismiss any officers or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the committee, or for any

other reason which it deems good and sufficient in the interest of the Institute.

~~15~~17. The Committee may appoint any sub-committee for any purpose arising out of or connected with any of the duties, functions and aims laid down under the rules. Any member can become members of this sub-committee.

10. Duties of Office-Bearers

- (1) The President or Secretary General shall during his term of office preside at all general meetings, all meetings of the committee and shall be responsible for the proper conduct of all such meetings. Both shall have the casting vote and either one shall sign the minutes of each meeting at the time they are approved.
- (2) The Deputy President shall deputize for the President during the latter's absence.
- (3) The Secretary General shall conduct the business of the Association in accordance with the rules, and shall carry out the instructions of the general meeting and of the Committee. He or she shall be responsible for conducting all correspondence and keeping all books, documents and paper except the accounts and financial records. He or she shall keep record of all meetings and proceedings. attend all meetings, and record all proceedings. He or she shall keep a membership register consisting of details such as name, identity card number, date of birth, occupation, name and address of employer and residential

address. He or she shall file annual returns within 60 days from the date of the annual general meeting to the Registrar of Societies.

- (4) The Treasurer General shall be responsible for the finances of the Institute. He or she shall keep accounts of all its financial transactions and shall be responsible for their correctness. He or she shall in conjunction with the President or the Secretary General sign all cheques and withdrawal notices on behalf of the Institute.
- (5) The Ordinary Committee Members shall carry out such duty as directed by the President or the Committee.

11. Financial Provisions

- (1) Subject to the following provisions in this rules, the funds of the Institution may be expended for the purpose necessary for the carrying out of its objectives, including the expenses of its office-bearers and paid staff, and the audit of its accounts, but they shall on no account be used to pay the fine of any member who may be convicted in a court of law.
- (2) The Treasurer General may hold a petty cash advance not exceeding RM 2,000/- (Ringgit Malaysia Two Thousand Only) at any one time. All money in excess of this sum shall within seven days of receipt be deposited in The Institute's account in a bank approved by the Committee. The bank account shall be in the name of the Institute.

- (3) All cheques or withdrawal notices on the Institute's account shall be signed jointly by the Treasurer General and the Secretary General or the President. At all times there shall be two (2) signatories to the cheque or withdrawal notice.

- (4) No expenditure exceeding RM 5,000/- (Ringgit Malaysia Five Thousand Only) at any one time shall be incurred without the prior sanction of the Committee, and no expenditure exceeding RM 50,000/- (Ringgit Malaysia Fifty Thousand Only) for a single item in any one calendar month shall be incurred without the prior sanction of a general meeting.

- (5) As soon as possible after the end of each financial year, a statement of income and expenditure, receipts and payments and a balance sheet for the year shall be caused be prepared by the Treasurer General and audited by the Auditors appointed under the rule 12. The audited accounts shall be submitted for the approval of the next annual general meeting, and copies shall be made available at the registered place of business of The Institute for the perusal of members.

- (6) The financial year of the Association shall commence on the 1st January and end on the 31st December every year.

12. Auditors

- (1) Two persons, who shall not be office-bearers of the Institute, shall be appointed, by the annual general meeting as Honorary Auditors. They shall hold office

for one year and may be reappointed more than two (2) consecutive terms.

- (2) The Auditors shall be required to audit the accounts of the Institute for the year, and to ensure the accounts are properly audited by the appointed external auditor who shall prepare a report or certificate for the annual general meeting. They may also be required by the President to audit the accounts of The Institute at any time within their tenure of office, and to make a report to the Committee.

13. Trustee

- (1) ~~All immovable properties whatsoever belonging to the Institute shall be vested in three trustees upon execution of a Deed of Trust. The Three Trustees, who must be over 3524 years of age and Fellows of the Institute, shall be appointed at a annual general meeting and shall hold office during the pleasure of The Institute. for the purpose of vesting They shall be vested in them all immovable properties whatsoever belonging to the Institute upon execution of a Deed of Trust.~~
- (2) The Trustees shall not sell, withdraw or transfer any of the property of the ~~Institute~~ Association without the consent and authority of a general meeting of members.
- (3) A Trustee may be removed from office by a general meeting on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reasons, he or she is unable to perform ~~the~~his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of a trustee

the vacancy shall be filled by a new Trustee appointed by a general meeting.

14. Interpretation

- (1) Between annual general meetings the committee shall interpret the rules of the Institute and when necessary, determine any point on which the rules are silent.
- (2) Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting, the decisions of the Committee shall be binding on all members of the Institute unless and until revoke by a resolution of a general meeting.

15. Advisor / Patron

The Committee shall if it deems fit and necessary appoint qualified and distinguished persons to be the Advisor or Patron of the Institute. The person appointed must give his consent in writing.

16. Prohibitions

- (1) None of the following games shall be played in the premises of the Institute such as Roulette, Lotto, Fan Tan, Poh, Peh Bin, Belankai, Pai Kau, Tau Ngau, Tien Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty One, Thirty One, Ten and a half, all games of dice, bankers' games, all video games and all games of mere chance.

- (2) Neither the Institute nor its members shall attempt to restrict or in any other manner interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Act, 1959.
- (3) The Institute shall not hold any lottery, whether confined to its members or not, in the name of the Institute, its office-bearers or members without prior approval from the authorities concerned.
- (4) "Benefits" as mentioned under section 2 of the Societies Act 1966 shall not be given by the Institute to any of its member.

17. Amendments of Constitution.

These Rules shall not be amended except by resolution of a general meeting. Such amendments shall take effect from the date of their approval by the Registrar of Societies. Any amendment to the rules shall be forwarded to the Registrar of Societies within 60 days of being passed by the general meeting.

18. Dissolution

- (1) The Institute may be voluntarily dissolved by a resolution of not less than three-fifths of the total membership of the Institute voting in favour of its dissolution at a general meeting ~~membership present in a general meeting.~~
- (2) In the event of the Institute being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the

remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.

- (3) Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution.

Name :
 : **SR SARKUNAN SUBRAMANIAM**
 Position : **PRESIDENT**

Name : YASMIN BINTI HUSIN JAMAL
Position : SECRETARY GENERAL

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