CONSTITUTION

As of 18 October 2025

kpum
EST.1979

UNITING LAW STUDENTS | EMPOWERING FUTURE LAWYERS |UPHOLDING THE RULE OF LAW

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ABOUT THIS EDITION

The document contains explanatory notes for articles and paragraphs which need further clarification/explanation as to their effect. These are not meant to be binding, but merely to serve as a guide in interpreting what the drafters intended when writing these provisions.

PART 1

PRELIMINARY

Article 1 – The Union

(1) The name of the Union shall be The United Kingdom and Eire Malaysian Law Students' Union or in Bahasa Malaysia, Kesatuan Penuntut Undang-undang Malaysia di United Kingdom dan Eire.

(2) The abbreviation in all languages shall be KPUM.

Article 2 – The Emblem

The Emblem of the Union shall be the non-capital letters of 'k', 'p', 'u' and 'm' with the bolded font of Rockwell. The space between the letters 'k' and the letters 'p' shall form the negative shape of a gavel. Below the letters would be the phrase "est 1979", stating the year in which the union was formed as a symbol of our long-standing history. The gavel symbolizes the Union's commitment to uphold the rule of law.

Article 3 – Interpretation

In this Constitution, unless the context otherwise requires: -

'Union' means the United Kingdom and Eire Malaysian Law Students' Union (KPUM)

'United Kingdom' means the United Kingdom of Great Britain and Northern Ireland, her territories, dominion and dependencies which for the purpose of this Constitution shall include the Isle of Man, the State of Jersey, the Bailiwick of Guernsey, Sark, Alderney, Berwick-Upon-Tweed and the Republic of Ireland, formerly the Irish Free State.

'Malaysia' means the Federation of Malaysia and all her territories and dependencies comprising of the States of Johor Darul Ta'azim, Kedah Darul Aman, Kelantan Darul Naim, Melaka Darul Azim, Pahang Darul Makmur, Perak Darul Ridzuan, Selangor Darul Ehsan, Negeri Sembilan Darul Khusus, Perlis Indera Kayangan, Terengganu Darul Iman, Pulau Pinang, Sarawak, Sabah, the Federal Territories of Kuala Lumpur and Labuan, the administrative capital of Putrajaya and such territories that may enter the federation.

'Calendar year' means the year according to the Common Era (CE) method of calculation, beginning in January and ending in December.

'Malaysian' means a citizen of the Federation of Malaysia by right of birth and naturalisation. Enemy aliens and fugitives of the Government of His Majesty the Yang di-Pertuan Agong, Their Royal Highnesses the Rulers and Their Excellencies the Yang di-Pertua-Yang di-Pertua Negeri are automatically deemed to be excluded from its meaning.

NOTES

Article 3

(1) The definition of 'United Kingdom' includes the territory of the Republic of Ireland. This could have been the result of the copying work done when the original KPUM Constitution was drafted with reference to the UKEC Constitution.

PART 2

MISSION, VISION AND VALUES

Article 4 – Mission and Vision

(1) The long-term mission of the Union shall be:

a. Uniting law students

b. Empowering future lawyers

c. Furthering the Rule of Law

Article 5 – Motivations and Values

(1) To prioritise the welfare and benefit of the members of the Union.

(2) To further the principles of the rule of law, justice, freedom and human rights.

(3) To empower members of the Union and to produce future lawyers compliant with s42 of the Legal Profession Act 1976 (Act 166).

(4) To gather law students and maximize their potential.

NOTES

Article 5

(1) *Paragraph (4) deleted the phrase "like-minded" due to its vagueness.*

PART 3

MEMBERSHIP

Article 6 – Membership

The following classes shall automatically be Members of the Union:

a. All Malaysian students reading law at Universities, whether at undergraduate level or postgraduate level, in the United Kingdom which includes students studying for the BPTC, LPC, and law conversion courses.

b. All Members of the Malaysia Division as defined in Article 18.

Article 7 – Honorary Membership

Honorary membership may be conferred by the Executive Committee for the duration of the term that the Executive Committee shall operate. Honorary membership may be awarded to an individual who has made considerable and substantial contribution to the Union in any capacity. Honorary members may attend all meeting but no vote is accorded.

Article 8 – Suspension

A Member of the Union who has persistently violated any rules set out by this Constitution, or any rules set by the Executive Committee for the smooth running of its operations and programmes may be suspended from the exercise of rights and privileges of membership by the Executive Committee.

NOTES

Article 6

(1) *Article 6 combines the old membership paragraphs (previously Articles 6 and 7).*

(2) *Paragraph (b) grants membership to all Malaysia Division members. This provision therefore distinguishes members from either the UK or the Division, who qualify for membership in a slightly different way.*

Article 7

(1) *Article 7 allows the Executive Committee to confer honorary membership on a person who is not a member under Article 6. The honorary membership lasts only for the term of the Executive Committee which conferred it. At the end of every term, all honorary memberships of that term shall lapse unless expressly renewed by the next Executive Committee.*

Article 8

(1) *Article 8 allows suspension of membership. The previous provision allowed expulsion as well. This provision would be the basis authority for any black-listing or disciplinary policy which the Executive Committee decides to implement for the smooth running of Union activities.*

PART 4

ORGANISATION

Article 9 – The Executive Committee

(1) The Executive Committee is the main administrative body of the Union.

(2) The Executive Committee shall consist of ten (10) elected members, namely:
   a. President;
   b. Deputy President;
   c. Vice President (Malaysia Division);
   d. General Secretary;
   e. Director of Finance;
   f. Director of Corporate Relations and Outreach;
   g. Director of Careers Development;
   h. Director of Skills Enhancement;
   i. Director of Media and Communications; and
   j. Human Rights and Activism Officer.

(3) The Executive Committee shall be dissolved by the President at the end of their elected term and a new Executive Committee shall be elected by Members in its place.

Article 10 – Executive Committee Meetings

(1) The quorum for an Executive Committee Meeting is at least fifty percent (50%) of Executive Committee members excluding the President, who shall preside at all Executive Committee meetings. If the President is absent, for whatever reason, the Deputy President shall preside and shall be excluded from the quorum count.

(2) The Executive Committee shall hold a meeting at least once in two (2) months of which the date shall be decided in each preceding meeting. The General Secretary shall call the meeting on the direction of the President at least one (1) week before the actual date of meeting. The General Secretary shall inform and invite all Executive Committee members, and all other necessary attendees to these meetings.

(3) Unless otherwise provided by this Constitution, any decision of the Executive Committee meeting shall be made by a simple majority vote of the committee members present and voting. The President may exercise his/her veto, but this may be overturned by a unanimous vote of all other Executive Committee members present. If a tie occurs, the President will have an additional casting vote.

(4) Any member of the Executive Committee who is absent from its meetings shall state the reasons for absence to the General Secretary before or within fourteen (14) days after the date of the meeting. Failure to attend two (2) successive meetings without reasonable cause and failure to so advise the Executive Committee on this matter shall be deemed a formal resignation from the Executive Committee if such a failure to respond persists after the issuance of a

notice by the Executive Committee regarding the failure to attend two (2) consecutive meetings.

NOTES

Part 4 (Structure)

(1) *Changes made in this part have generally been an exercise of rearranging the provisions found in the previous version of the Constitution. The old version combined many of the Articles in this current version. Splitting up some of these Articles helps with the organisation of the document and makes for easier reading and understanding.*

Article 9

(1) *The role of Deputy President (previously known as Vice President (UK) is introduced to provide a clear line of hierarchy and succession if there happens to be a vacancy in the office of Presidency. This amendment reflects the current practice of the Vice President UK being the de-facto second-in-command to the President. This does not mean that the Deputy President is slated to succeed the President the following term. Refer to Article 13 for clarification on the meaning of succession.*

(2) *Paragraph (3) merely provides for the automatic dissolution of the Executive Committee at the end of each term.*

(3) *The role of 'Vice President (Performance & Delivery)' has been repealed.*

Article 10

(1) *Paragraph (1) provides a mechanism for calculating the quorum required for an Executive Committee meeting. If the Deputy President is presiding, he/she will not be counted towards quorum, meaning that there must be at least another six (6) members present.*

(2) *In paragraph (3), the phrase "unless otherwise provided by this Constitution" is a reference to certain provisions which stipulate a different method or threshold for making decisions on specific matters.*

(3) *Paragraph (4) was amended to remove the practice of requiring a formal letter for sending a notice of absence. A requirement of a notice by the Executive Committee on persistent absence was also added.*

Article 11 – Functions and Powers of the Executive Committee

(1) In order to ensure prompt and effective action by the Union, its Members confer on the Executive Committee primary responsibility for the provisions in the Constitution, and agree that in carrying out its duties under this responsibility the Executive Committee acts on their behalf.

(2) In discharging these duties the Executive Committee shall act in accordance with this Constitution.

(3) The Executive Committee may initiate cooperation with the Malaysian Government, the Malaysian Bar and other civil society bodies and assisting in promoting the rule of law, constitutionalism, human rights and natural justice in Malaysia.

(4) The Executive Committee may promote cooperation with other student organisations, universities and colleges, Non-Governmental Organisations (NGOs), governmental bodies and other societies.

(5) The Executive Committee in the performance of their duties shall be independent from any other authority external to the Union.

(6) The Executive Committee has the power to enact such by-laws and procedures necessary for the smooth administration of the Union in accordance with this Constitution. The General Secretary shall inform the Members of the Union of the existence of such enactment.

Article 12 – Suspensions and Resignations

(1) A member of the Executive Committee may be suspended by
   i. a unanimous decision of the President, Deputy President, and Vice President (Malaysia) or
   ii. a two-thirds majority vote of all other Executive Committee members.

(2) A member of the Executive Committee may be removed from office by a unanimous decision of the President, Deputy President, and Vice President (Malaysia) with the approval of a simple majority of the other members of the Executive Committee.

(3) A member of the Executive Committee may resign at any time and shall do so by giving written notice of at least fourteen (14) days before the date of resignation to the General Secretary. He/she shall cease to hold office immediately upon resignation.

Article 13 – Vacancies

(1) If there is a vacancy in the position of the President, the Deputy President shall preside until such replacement is found by the Executive Committee in a by-election to be held by the General Secretary within one month of the vacancy.

(2) If for any reason, the Deputy President is unable to act as President, then the Executive Committee member who is highest on the list in Article 9 (2), and who is

not unable to act as President, shall act as President until a replacement is found pursuant to paragraph (1).

(3) If a vacancy arises in any other office of the Executive Committee, the President may appoint a person from amongst Members of the Union to complete the term of the office still remaining. Alternatively, the President may name an existing Executive Committee member to act in the capacity of the vacated office.

NOTES

Article 11

(1) Was previously Article 11 (6).

Article 12

(1) Paragraphs (1) and (2) provides the mechanism for suspending or removing Executive Committee members from office.

(2) Paragraph (3) provides for resignations. Interestingly enough, the previous version of the Constitution did not have a similar paragraph, which meant that Executive Committee members did not have a mechanism to resign aside from skipping two meetings without cause.

Article 13

(1) As per Paragraph (1), the Deputy President will assume office as Acting President until a new President is elected at a by-election. Note that Article 33 waives the requirement of a by-election if the vacancy occurs within a month before a scheduled annual general meeting. A Deputy President is allowed to run for President at a by-election.

(2) Paragraph (2) only comes into effect if there happens to be multiple vacancies occurring in the offices of both the President and Deputy President. If this occurs, the next highest i.e. the Vice President (Malaysia Division) shall act as President until a replacement is found. If the office of Vice President (Malaysia Division) is also vacant, then the next person in line, i.e. General Secretary, shall act and so on and so forth.

Article 14 – Executives

(1) The Executive Committee may appoint persons from among Members of the Union to assist them in the exercise of their functions, according to their departments. These appointed persons shall be known as Executives.

(2) Notwithstanding anything in this Article, the role of the Executive is subject to the discretion of the Executive Committee. The definition in paragraph (1) is not exhaustive.

(3) An Executive shall hold office at the discretion of the Executive Committee and may be suspended or removed from office by the Executive Committee through a simple majority vote.

(4) An Executive may at any time resign by giving written notice of at least fourteen (14) days before the date of the resignation to the General Secretary and shall cease to hold office immediately upon resignation.

(5) An Executive shall cease to hold office at the end of the term of the Executive Committee which appointed them or if he/she ceases to be a Member of the Union.

(6) An Executive may, if appointed, be a member of a sub-committee.

Article 15 – Ambassadors

(1) The Executive Committee may appoint persons from among Members of the Union to assist them representing the Union, in institutions or regions, with the view of advancing the cause and interests of the Union. These appointed persons shall be known as Ambassadors.

(2) Notwithstanding anything in this Article, the role of the Ambassador is subject to the discretion of the Executive Committee. The definition in paragraph (1) is not exhaustive.

(3) An Ambassador shall hold office at the discretion of the Executive Committee and may be suspended or removed from office by the Executive Committee through a simple majority vote.

(4) An Ambassador may at any time resign by giving written notice of at least fourteen (14) days before the date of the resignation to the General Secretary and shall cease to hold office immediately upon resignation.

(5) An Ambassador shall cease to hold office if he/she ceases to be a Member of the Union.

(6) An Ambassador may, if appointed, be a member of a sub-committee.

Article 16– Sub-Committees

(1) Sub-committees shall be established by the Executive Committee and shall be tasked to coordinate and manage specific events, projects and tasks of the Union. Sub-committees are subordinate and accountable to the Executive Committee.

(2) Notwithstanding anything in this Article, the role of the sub-committee is subject to the discretion of the Executive Committee. The definition in paragraph (1) is not exhaustive.

(3) Members of sub-committees shall be appointed by the Executive Committee from among Members of the Union.

(4) Sub-committee members shall hold office at the discretion of the Executive Committee and may be suspended or removed from the sub-committee by the Executive Committee.

(5) A sub-committee member may at any time resign by giving written notice of at least fourteen (14) days before the date of the resignation to the General Secretary and shall cease to hold office immediately upon resignation.

(6) A sub-committee member will cease to hold office of he/she ceases to be a Member of the Union.

(7) Sub-Committees shall be dissolved by the Executive Committee upon completion of the specific projects or tasks.

Article 17– Consultant to the Presidential Office

(1) There shall be an advisory position known as the Consultant to the Presidential Office (hereinafter referred to as "the Consultant").

(2) The Consultant shall assist the President in advisory and consultative matters but shall possess no executing power within the Executive Committee.

(3) The Consultant shall be automatically appointed by virtue of having served as the President of the Union in the immediately preceding term.

(4) The Consultant shall hold office for the duration of the Executive Committee's term and shall cease to hold office upon the dissolution of that Executive Committee.

(5) The Consultant may be relieved of their appointment at any time by the current President of the Union through written notice to the General Secretary.

(6) The Consultant shall not be counted towards the quorum of any Executive Committee meeting, nor shall they possess any voting rights within the Executive Committee.

(7) The Consultant may, at the invitation of the President, attend Executive Committee meetings, provide advice, or assist in Union affairs when necessary.

(8) The Consultant shall serve in an honorary capacity and may not concurrently hold any other elected or appointed position within the Executive Committee or the Malaysia Division during the same term.

(9) The Consultant may at any time resign by giving written notice to the General Secretary.

NOTES

Article 14

(1) *Paragraph (1) defines executives as some sort of assistant to department directors and hence is responsible for doing the work of the department. This can be contrasted with the sub-committees paragraph in Article 16.*

(2) *Paragraph (2) clarifies that the Executive Committee has the discretion to alter and add to the role of the Executive as it sees fit. Similar paragraphs exist for Articles 15 and 16 (Ambassadors and Sub-Committees).*

Article 15

(1) *Paragraph (1) defines the role of an ambassador. Notwithstanding this, this role is non-exhaustive and is also not exclusive to the ambassador as all members of the Union have a responsibility to further the causes and interests of the Union.*

Article 16

(1) *Paragraph (1) defines the roles of sub-committees and its members to be that of coordinating specific events projects or tasks of the Union. Notwithstanding this, this role is non-exhaustive and not exclusive to sub-committees.*

Article 17

(3) Paragraph (2) establishes a non-executive advisory position to support the Presidential Office through continuity and institutional memory. The role carries no decision-making authority and serves purely in a consultative capacity. To preserve flexibility, the current President of the Union retains the discretion to relieve the Consultant of their appointment where necessary as further stated in paragraph (5).

PART 4A

THE MALAYSIA DIVISION

Article 18 – General Constituting Provisions

(1) There shall be a subdivision of the Union known as the Malaysia Division (hereinafter known as "the Division").

(2) Notwithstanding anything in this Constitution, the Division shall seek to operate as an independent unit of the Union.

(3) The Division shall abide by the values of the Union and shall seek to further the mission and vision of the Union.

(4) The Division shall be administered by a body known as the Division Board (hereinafter known as "the Board").

(5) Aside from "the Chairperson" (the Malaysian Division Vice President), the Board will be elected by the members of the Division from among themselves.

Article 19 – Membership of the Malaysia Division

(1) Membership of the Malaysia Division shall be open to:

a. All Malaysian students reading law under a UK Transfer Program or a UK Degree Program.

b. All Malaysian students pursuing the Certificate in Legal Practice (CLP) who, before pursuing the CLP, had previously qualified for membership under [Article 6].

(2) The Division Board may exercise the powers of the Executive Committee as regards to Articles 9 (Honorary Membership) and 10 (Suspension) so far as they operate within the competencies of the Board. An action under this provision affecting membership of the Division member will affect that person's Union membership as well.

Article 20 – The Division Board

(1) The Malaysia Division shall be led a committee known as the Division Board (hereinafter known as "the Board") whose members shall be:

a. Vice President;
b. Secretary;
c. Treasurer;
d. Deputy Director of Corporate Relations and Outreach;
e. Deputy Director of Careers Development;
f. Deputy Director of Skills Enhancement;

g. Deputy Director of Media and Communications;
h. Deputy Human Rights and Activism Officer; and
i. Up to two additional Deputy Directors appointed by the Chairperson, with the approval of a majority of the members of the Executive Committee and Division Board voting jointly.

(2) The Vice President shall act as the Chairperson.

(3) The Chairperson, Secretary, and Treasurer shall be permanent members of the Board.

(4) Notwithstanding anything in this Article, a member of the Executive Committee shall not hold office as a member of the Board.

(5) The Board shall be subordinate to the Executive Committee and shall derive their authority from the Executive Committee. The Board shall have similar powers to the Executive Committee insofar as they operate within their competency.

(6) In discharging its duties, the Board shall act in accordance with this Constitution

(7) Where the Chairperson seeks to appoint additional Deputy Directors under Article 19(1)(h), they shall:
a. communicate to the Union's members, to the greatest extent practicable, the position sought to be filled; and
b. allow for qualifying members to submit themselves to be considered by the Executive Committee and Board for appointment to that position.

(2) For the avoidance of doubt, there shall be no more than two Deputy Directors appointed under Article 19(1)(i) at any point in time.

NOTES

Article 17

(1) *Paragraph (1) defines the subdivision of the Union known as the Malaysia Division.*

(2) *Paragraph (2) empowers the Division to seek to operate independently as far as allowed by the Constitution.*

(3) *Paragraph (4) constitutes the administrative body of the Division.*

(4) *Paragraph (5) provides for the election of the Board. This will come into force at a later date. The Chairperson, being the Vice President (Malaysia Division), is elected under Executive Committee elections whilst the rest of the Board is elected in separate Board elections.*

Article 18

(1) *Paragraph (1) copies the membership provision for Malaysian students found in previous versions. Note that unlike the membership paragraph of UK students, the paragraph for Malaysian students does not actually provide for automatic membership. Instead the phrase "membership shall be open to" is used, implying an opt-in approach to membership in Malaysia.*

(2) *Paragraph (2) merely allows the Board to grant Honorary Membership or suspend members with regards to their Malaysian members only. The proviso clarifies that where a member, for example, is expelled by the Board, he/she will lose Union membership as well.*

Article 19

(1) *Paragraph (1) lays out the composition of the Board. The composition of the Board is flexible and is intended to allow the next few terms to fine tune what they need to operate in Malaysia.*

    The positions of Secretary and Treasurer have different names as their Executive Committee counterparts since they have very different, and in the case of the Treasurer as regards to the Director of Finance, largely diminished roles.

(2) *Paragraph (3) establishes only three permanent members.*

(3) *Paragraph (4) prohibits Executive Committee members from holding Board positions.*

(4) *Paragraph (5) provides for the subordinate position of the Board as regards to the Executive Committee.*

Article 21 – Meetings of the Division Board

(1) The quorum for Board meeting shall be fifty percent (50%) of the Board members excluding the Chairperson, who must be present at all Board meetings. If the Chairperson is absent, for whatever reason, the Secretary shall preside and shall be excluded from the quorum count.

(2) The Board shall hold a meeting at least once every two (2) months. The Secretary shall call the meeting on the direction of the Chairperson at least one (1) week before the actual date of the meeting. The Secretary shall inform and invite all Board members and such other necessary attendees to the meeting.

(3) Unless otherwise specified in this Part, decisions of the Board shall be made on a simple majority vote of Board members present and voting. The Chairperson may exercise his/her veto, but this may be overturned by a unanimous vote of all other Board members present. Should a tie occur the Chairperson will have an additional casting vote.

(5) Any member of the Board who is absent from its meeting shall state the reasons for absence to the Secretary before or within fourteen (14) days after the date of the meeting. Failure to attend two (2) successive meetings without reasonable cause and failure to so advise the Board on this matter shall be deemed a formal resignation from the Board if such a failure to respond persists after the issuance of a notice by the Board regarding the failure to attend two (2) consecutive meetings.

Article 22 – Suspensions and Resignations from the Division Board

(1) A member of the Division Board may be suspended by
   i. a unanimous decision of the President, Deputy President, and Vice President (Malaysia) or
   ii. a two-thirds majority vote of all other Division Board members.

(2) A member of the Division Board may be removed from office by a unanimous decision of the President, Deputy President, and Vice President (Malaysia) with the approval of a simple majority of the other members of the Division Board.

(3) A member of the Division Board may resign at any time and shall do so by giving written notice of at least fourteen (14) days before the date of resignation to the Secretary. He/she shall cease to hold office immediately upon resignation.

NOTES

Article 20

(1) Paragraph (1) provides for a similar quorum calculation method similar to the one in the Executive Committee provisions. See note (1), Article 10 for the explanation. Paragraph (1) also states that the Secretary shall deputise for the Board Chairperson. This essentially makes the Secretary the de-facto deputy chairperson for the Division.

Article 23 – Vacancies

(1) If there is a vacancy in the position of the Vice President (Malaysia Division), the Secretary shall preside until such replacement is found in a by-election to be held by the General Secretary within one month of the vacancy.

(2) If for any reason, the Secretary is unable to act as Vice President (Malaysia Division), then the Board member who is highest on the list in Article 19 (1), and who is not unable to act as Vice President (Malaysia Division), shall act as Vice President (Malaysia Division) until a replacement is found pursuant to paragraph (1).

(3) If a vacancy arises in any other office of the Board, the Vice President (Malaysia Division) may appoint a person from amongst Members of the Union to complete the term of the office still remaining.

Article 24 – Executives, ambassadors, and subcommittees

(1) The Division Board may appoint ambassadors, executives, and sub-committees to assist itself in performing its duties.

(2) The Division Board, in appointing ambassadors, executives, or subcommittees, shall exercise the powers of the Executive Committee as prescribed by Articles 14 to 16 in so far as they act within the competency of the Board.

Article 25 – Competency and Powers of the Division Board

(1) The Committee is empowered to administer and organise Union activities in Malaysia so far as it is within the competency of the Board.

(2) An action or policy set by the Board is outside its competence so far as any of the following paragraphs apply:

a. It would affect Union operations outside the territory of Malaysia,

b. It applies otherwise than in relation to Union operations in Malaysia, or would seek to confer or remove functions exercisable otherwise than in or as regards Union operations in Malaysia.

c. It relates to reserved matters as stipulated in Schedule III.

(3) The question of whether an action or policy falls under a reserved matter is to be determined by reference to the purpose of the action or policy, having regard, inter alia, to its effect in all circumstances.

(4) Any matter not already defined by this Constitution as being within or without the competency of the Division Board shall be deemed a residual matter and the Executive Committee shall reserve the authority as regards to them.

(5) The Executive Committee may authorise the Division to act on a reserved matter on such terms and conditions as may be consistent with this Constitution. Such authority shall expire, upon the dissolution of the Executive Committee granting that authority, or upon the dissolution of the Board to which the authority was granted, or upon the completion of the action for which the authority was given, whichever comes first.

(6) This section does not affect the power of the Union Executive Committee to act or set policy with regard to Union operations in Malaysia.

(7) Notwithstanding anything in the previous provision, it is recognised that the Executive Committee will not normally act or set policy with regard to Union operations in Malaysia, except in reserved matters, without the consent of the Board.

NOTES

Article 22

(1) For explanation of how Paragraphs (1) and (2) works, see the explanation to Article 13.

If the Treasurer is also unable to act should the Vice President (Malaysia Division) and the Secretary are unable to act, then the list of succession shall follow the order of Deputy Directors in Schedule IV.

(2) Paragraph (3) confers similar powers of the President to appoint members to the Vice President (Malaysia Division) as regards to vacancies in the Board.

Article 23

(1) Paragraph (1) allows the Board to appoint its own executives, ambassadors and form its own sub-committees.

(2) Paragraph (2) gives the Board authority to exercise the powers of the Executive Committee in relation to such appointments.

Article 24

(1) Paragraph (2) defines what matters would fall outside the competency of the Board. Essentially, the Board cannot act or set a policy which will affect any event or activity outside Malaysia, and it cannot set any policy as regards to Members who are not of the Division. The paragraph further prevents the Board from acting on any reserved matter. This functions similar to the Federal and State lists of Malaysia's Federal Constitution.

(2) Paragraph (3) is explains how a question on whether an action falls under a reserved matter is to be determined.

(3) *Paragraph (4) provides for residual matters, i.e. matters which have not been defined by the Constitution as falling under the competency of the Board or otherwise. Residual matters shall remain under Executive Committee authority.*

(4) *Paragraph (5) allows the Executive Committee to authorise the Board to act on a reserved matter. This grant of authority is not permanent and has to be renewed for the authority to continue. In effect, authority operates on an ad-hoc basis.*

(5) *Paragraph (6) allows the Executive Committee full control of all Division actions even with the formation of the Board.*

(6) *Notwithstanding Paragraph (6), Paragraph (7) restrains the Executive Committee from acting for the Division unless absolutely necessary or only when the Board consents to it.*

Article 26 – Permanence of the Malaysia Division and Division Board

(1) The Malaysia Division and Division Board are a permanent part of the Union.

(2) The purpose of this Article is, with due regard to other provisions of this Constitution, to signify the commitment of the Union and the Executive Committee to the Malaysia Division and the Board.

(3) The Malaysia Division and Division Board shall not be abolished unless on the basis of a decision of Members of the Malaysia Division voting in a General Meeting.

NOTES

Article 25

(1) *Paragraph (3) provides a safeguard for the Division in that it prevents the Executive Committee from unilaterally abolishing the Division. Requiring a decision at a General Meeting would mean that there needs to be a two-thirds majority vote among all Members present as a Constitutional amendment is required for such abolition. This provision effectively binds all future committees to the devolution process.*

PART 5

GENERAL MEETING

Article 27 – Annual General Meeting

(1) The General Secretary shall call for the meeting on the direction of the President, and notice to this effect shall be given to the Members at least fourteen (14) days before the date of the meeting.

(2) Any Member may present a motion for debate at the meeting as long as notice to this effect is submitted to the General Secretary at least seven (7) days in advance.

(3) Voting on all matters, with the exception of Executive Committee Elections, shall be by a show of hand where each Member in attendance has one (1) vote.

(4) The Executive Committee may create rules and procedures for the smooth conduct and running of such meetings.

Article 28 – Functions and Powers

(1) The Annual General Meeting shall review the Annual Report and Financial Reports from the previous year.

(2) The Annual General Meeting shall elect the Executive Committee. The new Executive Committee elected shall take office immediately at the conclusion of the Annual General Meeting.

(3) Resolutions, declarations, and policies may be passed in an Annual General Meeting and shall be effective and binding on all Members once notice of them has been given to Members. Notice must be given by the General Secretary within fourteen (14) days of the date of the meeting where the motions or resolutions were passed.

(4) Decisions of the Annual General Meeting shall be binding on all Members.

Article 29 – Extraordinary General Meeting

(1) The General Secretary may call for an Extraordinary General Meeting (EGM) on the direction of the President, and notice to this effect shall be given to the Members at least fourteen (14) days before the date of the EGM.

(2) Any Member may, on application to the General Secretary, propose that an EGM be called. The proposal must be seconded by at least twenty (20) Members. The application must be made at least twenty one (21) days before the proposed date of the EGM.

(3) Members must be informed of the purpose of any EGM called failing which any motions or resolutions passed at the said EGM will be void.

(4) Notwithstanding anything in this article, the procedures and powers applicable to a General Meeting shall also apply to an EGM.

Article 30 – Quorum

The quorum for an Annual General Meeting or an Extraordinary General Meeting shall be twenty (20) Members. Quorum is required for the meeting to be effective failing which the meeting shall be void and the General Secretary shall reschedule the meeting.

NOTES

Part 5 (General Meeting)

(1) All Members of the Union, including Malaysia Division members shall be accorded all membership rights under this section. Notwithstanding anything in this Constitution, this would mean they are allowed to vote, present resolutions, and propose that an EGM be called.

Article 29

(1) Quorum is low to avoid the meeting being adjourned repeatedly if quorum cannot be reached. The number should definitely be raised once there is confidence that the quorum can always be easily met.

PART 6

ELECTIONS

Article 31 – Election Commission

(1) The Election Commission shall be responsible for the administration of elections.

(2) Notwithstanding anything in this Constitution, the Election Commission shall be responsible for creating rules and procedures for the smooth running of elections. In doing this, the Election Commission shall have regard for fairness, transparency, impartiality and efficient administration of the elections.

(3) The General Secretary shall act as the Election Commissioner for the purposes of the elections. If he/she is unable to do so for any reason, the Executive Committee shall appoint a person to act as the Election Commissioner.

(4) The Election Commissioner shall chair the Election Commission and may appoint staff from among members of the Union to the Election Commission as is appropriate and necessary at the time.

Article 32 – Executive Committee Elections

(1) The positions which shall be contested are those contained in Article 9, as well as any such positions which the current Executive Committee deem necessary to be put up for election.

(2) An election of the Executive Committee shall be held once a year at the General Meeting at an annual interval of not more than one (1) calendar year after the previous election.

(3) The election shall be via an alternative vote system and shall be held by secret ballot, where all Members in attendance shall have one (1) vote each.

(4) Applications to contest for the new Executive Committee positions shall be opened for at least fourteen (14) days before the date of the elections.

(5) Members of the Union may contest and vote in Executive Committee elections, provided that the member is studying in the UK in the upcoming term.

(6) Members of the Malaysia Division are not allowed to contest in Executive Committee elections, with the exception of the position of Vice President (Malaysia Division).

(7) Members of the Malaysia Division are allowed to vote in Executive Committee elections, with the exception of the positions of General Secretary, Finance Director, Director of Corporate Relations and Outreach, Director of Skills Enhancement, Director of Media and Communications, and Human Rights and Activism Officer.

(8) The Vice President (Malaysia Division) can choose which election he/she wishes to vote in, subject to the rules of the Annual General Meeting.

Article 33 – Malaysia Division Elections

(1) The positions which shall be contested are those contained in Article 19 (1), as well as any such positions which the current Board, with the consent of the Executive Committee deem necessary to be put up for election.

(2) The rules and mechanism of Division elections shall be the same as Executive Committee elections.

(3) Vice President (Malaysia Division) is an Executive Committee position and hence will not be part of the Division elections.

(4) Only Members of the Malaysia Division may contest and vote in Division elections.

Provided that a member is studying in the UK in the upcoming term, he/she is not allowed to contest and vote in Malaysia Division elections.

Article 34 – By-elections

(1) A by-election shall be held if there is a vacancy of the office of President or Vice President (Malaysia Division).

(2) The by-election shall be waived if the period of vacancy is less than one (1) month to the date of the next General Meeting, and if this occurs, then:

a. If the office of President is vacant, the Deputy President shall assume the position as Acting President;

b. If the office of Vice President (Malaysia Division) is vacant, the Secretary shall assume the position as Acting Vice President (Malaysia Division); until the end of their respective terms.

NOTES

Article 30

(1) *Paragraph (2) mandates the Election Commission with the task of writing the rules and procedures for elections and also have due regard to certain principles.*

(2) *Aside from only naming the General Secretary as Election Commissioner, Paragraph (3) also provides for contingencies if the General Secretary cannot act in that capacity.*

Article 31

(1) *Paragraph (5) prevents Malaysia Division Members from contesting Executive Committee elections except for Vice President (Malaysia Division) and shall come into force at a later date (once Division elections are implemented).*

Article 32

(1) *Provides for the election of the Board. To come into force at a later date.*

Article 33

(1) *By elections are also held for the Vice President (Malaysia Division) as the position is Chairperson of the Division Board. The usual practice of appointments to fill vacancies would be inappropriate in this case.*

PART 7

FINANCIAL PROVISIONS

Article 35 – Consolidated Funds

(1) Notwithstanding anything in this Part, all monies, accounts, and assets under the control of any Division or otherwise, wholly belongs to the Union, and the Executive Committee, being the administrative body of the Union shall have ultimate discretion as to its administration and disposal.

(2) All income howsoever raised or received by the Union shall be paid into and form one fund, to be known as the Union Consolidated Fund.

(3) All expenditures of the Union shall be charged on the Union Consolidated Fund.

(4) Notwithstanding anything in Article 40, all income howsoever raised or received Malaysia Division shall be paid into and form one fund, to be known as the Consolidated Fund of that Division.

(5) All expenditures of the Division shall be charged on the Consolidated Fund of that Division.

Article 36 – Bank Accounts

(1) The Director of Finance shall be primarily responsible for all bank accounts and shall act as a signatory for each and every bank account held jointly or severally by the Union.

(2) The President, or Deputy President shall, if instructed by the Director of Finance, act as a signatory for any account held jointly or severally by the Union in the United Kingdom.

(3) With regards to the Malaysia Division, the Treasurer shall be responsible for each and every bank account held jointly or severally by the Union in Malaysia.

(4) The Vice President (Malaysia Division) shall, if instructed by the Director of Finance, act as a signatory for any account held jointly or severally by the Union in Malaysia.

(5) The accounts of the Union shall be made available at all times to the Auditor of the Union.

Article 37 – Annual Financial Statements

(1) The Executive Committee shall, at the end of every financial year, present before the General Meeting a statement of the financial position of the Union.

(2) The statement shall show, so far as it is practicable, the assets and liabilities of the Union at the end of the last completed financial year, the manner in which those assets are held, and the general purposes in respect of which those liabilities are outstanding.

NOTES

Article 34

(1) This article explains how money is to be accounted for and to which account, whether the Union, or Division account, is affected when a transaction happens.

(2) Collectively, the Consolidated Funds provision means that accounts should be reported and managed as one main account and one sub-account only (i.e. one account for the Union in the UK, and one sub-account for the Malaysia Division).

(3) Paragraph (1) clarifies that all accounts belong to the Union regardless of whether it is controlled at that time by the Executive Committee or the Division. As such, the Executive shall have ultimate authority as to them.

(4) Paragraph (3) provides that all monies raised by the Division will be paid into the account, except as regards to sponsorships monies.

Article 35

(1) Paragraph (3) provides that the Treasurer (of the Malaysia Division) be responsible for accounts in Malaysia.

Article 37

(1) This article provides for the preparation of financial statements and their presentation of such reports at the General Meeting.

Article 38 – Budgets

(1) All expenditures of the Union shall be in accordance with the Budget passed by the Executive Committee with a 2/3 majority vote of all Executive Committee members.

(2) The passed Budget may be amended as deemed necessary and appropriate at any time by the Executive Committee with a 2/3 majority vote of all Executive Committee members.

(3) The Director of Finance shall have the authority and liability for all expenditure of the Union in accordance with the Budget passed.

Article 39 – Transactions

(1) All financial transactions of the Union shall be the responsibility of the Director of Finance.

(2) All financial transactions of the Malaysia Division shall be the responsibility of the Treasurer of that Division.

Article 40 – Grants to the Malaysia Division

(1) The Executive Committee shall, in respect of each financial year, make a grant to each Division for the purpose of Divisional expenditure and shall be administered at the discretion of the Division.

(2) The Executive Committee may make grants for specific purposes to any Division on such terms and conditions as may be consistent with this Constitution.

(3) The amount required for making the grants mentioned in proceeding provisions shall be charged on the Union Consolidated Fund.

Article 41 – Sponsorship Agreements

(1) The Director of Finance and the Director of Corporate Relations and Outreach shall be responsible for all actions and policy with regards to sponsorship agreements.

(2) At the start of every financial year, the Director of Finance and the Director of Corporate Relations and Outreach shall table a proposed sponsorship plan and structure which shall be voted on by the Executive Committee.

(3) All income received from sponsorship agreements shall be paid into the Union Consolidated Fund unless otherwise directed by the Director of Finance.

(4) A general sponsorship agreement shall be drafted in accordance with Schedule II. The Director of Finance may amend the agreement where appropriate and necessary. This agreement must be signed by the sponsoring parties and the Director of Finance upon conclusion of negotiations according to terms agreed upon by both parties.

Article 42 - Auditors

(1) All financial records shall be audited at the end of each term.

(2) An Auditor or Auditors shall be appointed by the Executive Committee. The Auditor or Auditors shall be responsible for auditing the accounts of the Union for the financial year and shall confirm all financial transactions of the Union before the General Meeting.

(3) No member of the Executive Committee shall be appointed as Auditor while in office. No person, with the exception of professional auditing bodies, shall act again as Auditor having previously acted as Auditor.

(4) The Executive Committee may, where appropriate and necessary, appoint additional Auditors to assist existing Auditors.

NOTES

Article 37

(1) All budgets and adjustments shall be passed with a two-thirds majority vote of the Executive Committee.

Article 38

(1) This articles for how the Division shall be funded from payments made by the Executive Committee.

Article 39

(1) Paragraphs (1) and (2) are essentially the same as the previous version of this Constitution.

(2) Paragraph (3) explicitly provide that all sponsorship income is to be paid into the Union main account and thus, is at the control of the Executive Committee.

(3) Changes to paragraph (4) allows the Director of Finance to make changes to the format of the sponsorship agreement where appropriate and necessary. Even though the format is part of the Constitution, this provision allows changes without requiring a Constitutional amendment.

PART 8

PARTNERSHIPS AND AFFILIATIONS

Article 43 – Forms of Partnerships and Affiliations

(1) The Union may enter into partnerships and affiliations with any government or non-government bodies or other student organisations or initiatives to further pursue the mission and objectives of the Union.

(2) The terms of these partnerships and affiliations shall be agreed upon and signed within a Memorandum of Understanding.

Article 44 – Memoranda of Understanding (MOU)

(1) A Memorandum of Understanding shall consist of two or more parties and the terms of which the parties have agreed upon and is signed by the representatives of all the parties involved.

(2) The General Secretary shall be the keeper of these Memoranda.

(3) A suggested template of a Memorandum of Understanding is found in Schedule I of this Constitution and may be amended by the Executive Committee as appropriate and necessary.

Article 45 – Limitations of Partnership and Affiliation

(1) Engagements with partners and affiliates shall not compromise the Mission, Vision, and Values of the Union.

(2) The Union shall at no point of time establish any form of partnership or affiliation with any political party.

(3) Notwithstanding anything in this Constitution, the limitations in this Article shall apply to all relations of the Union, including sponsorship policy.

PART 9

MISCELLANEOUS

Article 46 – Amendment Procedures

(1) Unless a procedure for amending a particular provision is specified in this Constitution, amendments to this Constitution shall only come into force when they have been passed by a two-thirds majority vote of all Members present at a General Meeting.

(2) Members of the Union may present resolutions for constitutional amendments at a General Meeting.

(3) The General Secretary shall communicate any changes to the present Constitution to Members within fourteen (14) days of the date of the amendment.

Article 47 – Conflict in Interpretation

Any confusion or conflict which may arise regarding any part of the Constitution shall be resolved by the Executive Committee through a simple majority vote.

NOTES

Article 43

(1) Paragraph (3) allows the Executive Committee to amend the format of MOUs where appropriate and necessary without the need for a constitutional amendment.

Article 44

(1) Paragraph (3) provides that the limitations in this article would also apply as regards to sponsorship agreements.

Article 45

(1) Changes to this Article provide that Constitutional amendments can only be made with a two-thirds majority vote at a General Meeting, thus removing the power of the Executive Committee to unilaterally amend the Constitution. This provides a new layer of check and balance and would strengthen almost all of the changes we make in this Constitution this term.

(2) Paragraph (2) allows members of the Union to present proposals for constitutional amendments. Members of the Malaysia Division are allowed to do this as well since they are members of the Union.

SCHEDULE I

FORMAT MEMORANDA OF UNDERSTANDING

Memorandum Of Understanding

dated

xx/xx/xxxx

between

Kesatuan Penuntut Undang-Undang Malaysia di United Kingdom dan Eire ('KPUM')

and

[INSERT PARTNER]

This memorandum commences from the date of signing by both parties' representatives. Both parties resolve to enter into this memorandum freely, with the undersigned being the empowered representative from both parties.

KPUM and [INSERT PARTNER] (each individually a 'Party' and collectively 'the Parties) agree that:

1. Both parties resolve to enter into an _____and would refer to each other as _____or _____

2. The objective of this _____is to :

   a. [CONTENT]

   b. [CONTENT]

3. Both parties agree that:

   a. **[CONTENT]**

   [EXPLANATION]

   b. **[CONTENT]**

   [EXPLANATION]

4. Both parties agree that the commitment agreed upon within this memorandum will last for **12 months** from the date of the signing of this memorandum by both parties. This memorandum is NOT legally binding.

5. Both parties agree that this _____, as stipulated by this memorandum would be purely symbolic and non-financial. However, if need be, financial agreements can be reached via other contracts or agreements by both parties.

Signed in two originals,

On behalf of KPUM	On behalf of [PARTNER]
_____	_____
NAME:	NAME
POSITION:	POSITION:
Date: _____	Date: _____

SCHEDULE II

FORMAT OF SPONSORSHIP AGREEMENTS

Sponsorship Agreement Form

Contact Details

Company/Organisation			
Contact Person			
Address			
City		**State**	
Postal Code		**Country**	
Email			
Phone		**Fax**	

We request the payment of the sponsorship amount to be settled by telegraphic transfer. Please find our bank account details as stated below.

We would also like to request that the firm informs us once the payment is made. This may be done by attaching the transaction advice in an email to sean.tan@kpum.org.

Payment

Payment Addressed to	**KPUM**
Method of Payment	**Bank Transfer**
Payment Details	**Name of our bank : HSBC Bank UK** **Bank Address: 210 High Holborn, WC1V 7BZ London** **Account Bearer: KPUM** **Account Number : 01697919** **Sort Code : 40-03-27**
Total Sponsorship Fees (GBP) :	

Please include any additional information

(i.e.: request to put up banners/flyers/etc.)*

Condition

While the Union shall do its best to uphold the corporate interests of the company/organisation, the Union shall remain an independent organisation and shall have full autonomy over its activities, initiatives and official stances.

Agreement

By completing this form, I understand that I am committing to paying in full for the described services, that I agree to all conditions, and that I am authorized to sign on behalf of my company.

Name : …… ……..

Signature : …… Date : ……..

SCHEDULE III

RESERVED MATTERS

(1) External Affairs:

a. Relations with law firms and non-law companies;

b. Relations with the Malaysian Government and the governments of any other country;

c. Relations with the Malaysian Bar, professional bodies, civil society bodies, other student organisations, non-governmental organisations, governmental bodies, and all other societies.

(2) Finance, including:

a. Annual budget and spending policy;

b. Financial and accounting procedures, including procedures for collection, custody and payment of monies of the Union and of the Division;

c. Audit;

d. Banking matters;

e. Sponsorship agreements and negotiations.

(3) Programmes, including;

a. Internship Programmes;

b. Surveys.

CONSTITUTION

UNITING LAW STUDENTS
EMPOWERING FUTURE LAWYERS
UPHOLDING THE RULE OF LAW

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