



Democratic Action Party

CONSTITUTION

As of 06 July 2022

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CLAUSE I

NAME, ADDRESS AND SYMBOL OF PARTY

1. The name of the Party shall be the Democratic Action Party, Malaysia.
2. The registered place of business shall be DAP National Headquarters, Jalan Yew, Off Jalan Pudu, 55100 Kuala Lumpur or at any other place determined by the Central Executive Committee. The registered place of business shall not be changed except with the prior approval of the Registrar of Societies.
3. The symbol of the Party shall be a blue circle against a white background with a red rocket vertically across the circle.

CLAUSE II

OBJECTS

Preamble:

The Merdeka Constitution is a secular document, instilled with the principles of democracy, freedom, rule of law, and respect of human rights; and imbued with the ideals of accountability, equality, justice and human dignity.

Such principles can be a force of unity and integration not only between our nation's disparate races, religions and cultures but also between Peninsular Malaysia, Sabah and Sarawak.

By espousing these ideals, Malaysians can move forward where democracy and economic development goes together; where freedom does not mean oppression; where equality of opportunity is preferred to equality of outcome; where rule of law ensures social justice; where wealth creation is accompanied by equitable wealth distribution; and where spreading economic prosperity does not breed rampant corruption.

Objects:

1. To strive by parliamentary constitutional means for the establishment of a social democracy in Malaysia;
2. To reaffirm and restore the Malaysian Constitution in its original secular framework as the supreme law of the land which respects democratic values and basic human rights that gives every Malaysian citizen equal and equitable rights;

3. To promote national integration with Sabah and Sarawak, recognize their special rights and infuse a national spirit and unity amongst all races to forge a common identity of a united Malaysian Malaysia;
4. To acknowledge the fundamental right of freedom of religion which encompasses the freedom of the respective religions from being subject to oppressive laws and discriminatory acts;
5. To uphold and affirm Bahasa Malaysia as the national language; and guarantees the obligation duty and right to promote the status, expand learn and use other mother tongue languages including Chinese, Tamil, English and native tongues;
6. To establish integrity, ethics, compassion as core moral values to promote transparency as well as a liberal approach, mutual respect and understanding of our diverse cultural traditions and religious beliefs;
7. To advance preserve and protect the sovereignty and integrity of an independent Malaysia;
8. To promote an ASEAN community based on good governance, democracy and respect of human rights, and to preserve the region as a nuclear-free region revolving around peace, freedom and neutrality;
9. To promote, expand and enlarge democracy at all levels, particularly restoring local government elections, to give form and substance to people empowerment and participation in decision-making based on the principles of equality, free, fair and independent electoral process as well as freedom of the press;
10. To grant equal opportunity and spread economic prosperity for all premised on value creation in a competitive market and an economic order that places equal emphasis on wealth creation and an equitable wealth distribution;
11. To pledge to improve educational standards based strictly on merits and needs, and provide full access and equal opportunities at primary, secondary and tertiary levels, especially knowledge-based IT sectors;
12. To protect workers and trade union rights under a framework of a right to work, provide for a fair and decent wage of workers and maintain their real wages to ensure prosperity and a decent standard of living for all;
13. To eliminate all forms of gender bias against women in employment, education and health;
14. To empower youths by giving them choice and access to power whilst instilling in them a sense of duty and responsibility;
15. To secure justice and security for all by upholding the rule of law, establishment and protection of safe neighbourhoods and secure communities;

16. To institutionalize accountability and transparency that checks corruption and financial malpractices as well as establish integrity and trust in governance;
17. To offer affordable, accessible and accountable public health services that guarantees the needs of the sick, infirm and aged; and
18. To prevent further environmental degradation and destruction to preserve our natural heritage that is clean, healthy and safe.

CLAUSE III

MEMBERSHIP

1. Every member of the Party, every officer performing executive functions in the Party, and every adviser shall be Federal citizens.
2. Any person of not less than 17 years of age and is a Federal citizen who subscribes to the conditions of membership and is not a member of any political party or organization ancillary or subsidiary thereto whose aims and policies are incompatible with the aims and policies of the Party may become a member of the Party.
3. Any member of the Party shall, on becoming a member of any political party or organization ancillary or subsidiary thereto, cease forthwith to be a member of the Party.

CLAUSE IV

CONDITIONS OF MEMBERSHIP

1. Every member shall be loyal to the cause of an independent Malaysia.
2. Every member must accept and conform to the constitution, programmes, principles and policies of the Party.
3. Application for membership shall be made in writing in the specified Form to the Secretary-General of the Party together with the specified amount of the applicant's first subscription.

4. All applications for membership shall be placed before the Standing Sub-Committee on Membership as provided for in CLAUSE XIII of this Constitution.
5. It shall be the duty of the Standing Sub-Committee on Membership in exercising its powers of admission to consider carefully the suitability of the applicant for admission as member, having regard to the objects of the Party.
6. An applicant shall be admitted as a member if a simple majority of the members of the Standing Sub-Committee on Membership present at the Committee meeting at which the admission of the applicant is considered, vote in favour of the applicant's admission.
7. No person shall be admitted as a member:
 - (a) If he is and has been found or declared to be of unsound mind;
 - (b) If he has been convicted of any offence involving dishonesty or moral turpitude by any court of law.
8. The Standing Sub-Committee on Membership may reject any application without assigning any reason thereof.
9. An applicant, whose application for membership has been rejected by the Standing Sub-Committee on Membership, may appeal to the Central Working Committee. The Central Working Committee may overrule the decision of the Standing Sub-Committee on Membership. If the Central Working Committee upholds the decision of the Standing Sub-Committee on Membership, the applicant may appeal to the Central Executive Committee. The decision of the Central Executive Committee on the matter shall be final. When rejecting the appeal, the Central Working Committee and the Central Executive Committee need not assign any reason thereof.
10. Upon the admission of a member, notice in writing thereof shall be given to such member, and such member shall be furnished with a copy of the Party Constitution, a Party badge and the member's membership card.
11. If the first subscription does not accompany the application, such application shall be rejected by the Standing Sub-Committee on Membership.
12. Members of the Party who are chosen by the Party to be candidates for local authority, State Assembly or Parliamentary elections, and are successful in any elections, shall undertake:
 - (a) To contribute to the Party's funds, a proportion of their emoluments or allowances as elected representatives of local authorities or State Assemblymen or Members of Parliament, such proportion to be determined from time to time by the Central Executive Committee;

- (b) To contribute to the Party's funds, a proportion of their pension upon their ceasing to be a member of the local authority, State Assemblies or Parliament and such proportion to be determined by the Central Executive Committee; and
- (c) To resign their seats in local authorities, State Assemblies or Parliament, as the case may be, in the event of their resigning as members of the Party or for any other reason ceasing to be members of the Party.

13. Deprivation of Membership

- (a) Any member who is known or has shown to be a person disqualified from being a member under Sub-Clause 7 of this CLAUSE shall be deprived of his membership by the Central Working Committee, provided that no person shall be deprived of his membership unless an enquiry has been held to determine whether he suffers from the offending disqualification. For the purposes of holding such an enquiry, the Central Working Committee shall appoint a special sub-committee of not less than three members who shall, after hearing all evidence in the matter, make its recommendations to the Central Working Committee for its decision.
- (b) Such member shall have the right to appeal to the Central Executive Committee. The decision of the Central Executive Committee shall be final.
- (c) No member who has been the subject of any action taken pursuant to Sub-Clause 13(a) above shall institute any proceedings in any Court of Law:-
 - i. To go into the legality or propriety or otherwise of any action or decision taken by the Central Executive Committee or the Special Sub-Committee;
 - ii. Against the Party or against the Central Executive Committee or the Special Sub-Committee or any member of such committee for any action arising out of the proceedings taken under this Rule.
- (d) Any member:
 - i. Who is and has been found or declared to be of unsound mind; or
 - ii. Who is declared a bankrupt; or
 - iii. Who is convicted of any offence involving dishonesty or moral turpitude by any Court of Law; or
 - iv. Who institutes any proceeding in any Court of Law on any matter pertaining to the Party without first exhausting all avenues available in the Party;

shall forthwith cease to be a member of the Party.

CLAUSE V

SUBSCRIPTION

1. The Party shall derive its income from annual subscriptions and donations from members and supporters and from any Trust Fund set up, the objects of which are not incompatible with the objects of the Party.
2. The annual subscription for members shall be RM10.00 and the life-subscription for members shall be RM200.00, or such other sum as the Central Executive Committee may from time to time prescribe.
3. All annual subscription, except the first subscription of new members as provided by CLAUSE IV Sub-Clause 3, shall be payable in the first month of each financial year beginning January 1st and ending December 31st.
4. If any member allows his arrears to exceed two years, he shall automatically cease to be a member of the Party. But if at any time he gives to the Standing Sub-Committee on Membership a satisfactory explanation, he may, at the discretion of the Standing Sub-Committee on Membership and upon payment of all arrears, have his membership reinstated.
5. Special subscription or levies for particular purposes may be raised from members by resolution of the Party Congress. If any member fails to pay such subscriptions or levies within such period as may be resolved, the amount due shall be treated in the same way as arrears of annual subscription.

CLAUSE VI

RESIGNATION OF MEMBERS

Any member may resign his membership by giving to the Secretary-General one month's notice in writing to that effect, provided that any member giving such notice shall be liable to pay his subscription up to and including the current year in which such notice is given.

CLAUSE VII

DISCIPLINE

1. (a) The Central Executive Committee shall set up a Disciplinary Committee (“DC”) to deal with disciplinary matters in the Party.
- (b) The Disciplinary Committee shall consist of the following:-
 - (i) a Disciplinary Committee Chairman (“DC Chairman”); and
 - (ii) not less than 10 members (subject to a maximum of 20)
- (c) The members of the DC shall be appointed by the Central Executive Committee (“CEC”).
- (d) Where the DC Chairman of the DC is not a member of the CEC he shall be an ex-officio member of the Central Executive Committee with no voting rights.
- (e) Subject as hereinafter provided, every proceeding in the DC shall be heard and disposed of by three members or such greater uneven number of members as the DC Chairman may in any particular case determine and empanel from the list of appointees under Sub-Rule 1(b).
- (f) The DC Chairman or the member designated by him to preside the proceedings of that panel (hereinafter referred to as “the Presiding Member”) shall chair the proceedings.
- (g) The DC shall sit on such date and in such place as the DC Chairman or the Presiding Member may from time to time appoint.
- (h) The DC Chairman or in his absence the Presiding Member may cancel or postpone any sitting of the DC which has been appointed under Sub-Clause (1)(e).
- (i) Proceedings shall be decided in accordance with the opinion of the majority of the members of the panel having the conduct of the disciplinary matter.
- (j) In the event that any member of the appointed panel is unable to sit by reason of illness or death or any other valid cause the DC Chairman shall be empowered to appoint a replacement to the panel.
2. It shall be the duty of the Disciplinary Committee if at any time it is of the opinion that the interests of the Party so require, to take any form of disciplinary action, including the imposing of fine, on any member, the suspension or expulsion of any member. Any decision on the form of disciplinary action, suspension or expulsion on any member shall be based on a simple majority amongst members

of the Committee at a meeting. More than fifty per cent of the members of the Committee present at a meeting shall form the quorum.

3. Any member suspended, expelled and against whom any other form of disciplinary action is taken shall be notified in writing and shall be given fourteen days from the date of notification to appeal in writing against the decision by the Disciplinary Committee to the Central Executive Committee. The decision of the Central Executive Committee on matters of discipline shall be final and conclusive.
4. Before a member is suspended, expelled or against whom any other form of disciplinary action is taken, such member may be asked to show cause why he/she should not be suspended, expelled or any form of disciplinary action taken against him/her, in the manner and within the time prescribed by the Disciplinary Committee.
5. The Disciplinary Committee shall have the power to suspend any Branch Committee or Parliamentary Liaison Committee or State Committee for action or conduct which affects adversely the policies or interests of the Party. Any Branch Committee or Parliamentary Liaison Committee or State Committee which has been suspended shall be notified in writing and shall be given fourteen days from the date of notification to appeal in writing against the decision of the Disciplinary Committee to the Central Executive Committee. The decision of the Central Executive Committee on this appeal shall be final.

CLAUSE VIII

PARTY CONGRESS

1. (a) The work of the Party shall be under the direction and control of the Party Congress and the Party Conference.
- (b) The Party Congress shall meet once in three years (36 months) and shall be called Party National Congress or at such times as it may be convened by:
 - (i) the Central Executive Committee; or
 - (ii) at the request of at least sixty percent of the Branches entitled to send Delegates to the Party Congress; or
 - (iii) at the request of at least sixty percent of the Congress Delegates.
- (c) Notwithstanding any other provisions contained in this Constitution, the

Central Executive Committee shall have the powers to postpone the Party Congress, the Party Conference, the State Ordinary Convention and the State Annual Conference respectively should their convening fall on a date within twenty four (24) months of the date Parliament shall in accordance with Article 55(3) of the Federal Constitution stand dissolved PROVIDED THAT in such an event the postponed Party Congress, the Party Conference, the State Ordinary Convention and the State Annual Conference (as may be the case) shall be held within six (6) months from the Polling Date of the ensuing General Elections held.

2. The quorum for a Party Congress shall be at least twenty-five per cent of the total numbers of Delegates entitled to attend the Congress.
3. (a) All branches of the Party which are entitled to send delegates to the Party Congress shall be entitled to the following representations at any Party Congress:
 - 25-50 paid up members – 2 Delegates
 - 51-100 paid up members – 1 additional Delegate
 - Above 100 paid up members – 1 additional delegate for every 100 members thereafter.
- (b) All the party's Members of Parliament, State Assemblymen and incumbent Central Executive Committee members shall be entitled to attend the Party Congress as additional Delegates.
4. The Party National Congress shall be held upon the expiration of the term of office of the retiring Central Executive Committee, or at any time before the expiration of the term of office of the Central Executive Committee.
5. The business at the Party National Congress shall be in the following order:
 - (a) Welcome Speech by National Chairman;
 - (b) Policy Speech by Secretary-General;
 - (c) Central Executive Committee Report presented by Secretary-General;
 - (d) To elect a Central Executive Committee of thirty members;
 - (e) To pass the minutes of the previous Party Conference and/or Party Special Congress whichever is/are relevant and applicable;
 - (f) To consider and adopt from the Central Executive Committee a duly audited Financial Statement of Accounts covering the preceding financial year/s;
 - (g) To consider and adopt the Central Executive Committee Report;
 - (h) To pass declarations presented by the Central Executive Committee;
 - (i) To consider and adopt proposed amendments to the Party Constitution;
 - (j) To pass resolutions presented by the Central Executive Committee;

- (k) To decide on any resolutions which may be duly submitted under Sub-Clause 7 of this CLAUSE;
 - (l) To appoint a qualified accountant or a firm of accountants as the Party External Auditor until the next Party National Congress;
 - (m) To appoint two members of the Party as Internal Auditors until the next Party National Congress.
6. At least ten weeks before the date fixed for the Party National Congress, the Secretary-General shall inform all Branch Secretaries in writing of the date fixed for the Party National Congress and draw their attention to Sub-Clause 7 and 13 of this CLAUSE.
 7. Branches which are entitled to send Delegates to the Party Congress desirous of moving any resolution at the Party National Congress shall give notice thereof in writing to the Secretary-General. Such resolution shall be seconded by another Branch which is also entitled to send Delegates and shall reach the Secretary-General not later than six weeks before the date of the Party National Congress.
 8. Notice summoning a Party Special Congress shall be sent to all Branches and Delegates not less than seven days before the date fixed for the Party Special Congress and shall state the subject or subjects to be discussed at the Party Special Congress.
 9. At least ten days before the Party National Congress or seven days before the Party Special Congress, the Secretary-General shall notify all Delegates and Branches entitled to send Delegates to the Congress of the business to be transacted. In the case of the Party National Congress, such notice shall include the Financial Statement of Accounts covering the preceding financial year/s, any resolutions which Branches have indicated their intention of proposing under Sub-Clause 7 of this CLAUSE and a list of all candidates nominated under Sub-Clause 13 of this CLAUSE for election to the Central Executive Committee.
 10. Before any Party National Congress or Party Special Congress, the Central Executive Committee shall appoint members of the Party to act as the Speaker and the Deputy Speaker at any Congress. The Deputy Speaker shall deputise for the Speaker in his absence.
 11. The National Congress may be adjourned from time to time until the business of the Congress is concluded.
 12. Members of the Party, who are not accredited Delegates from their Branches, may attend Party Congress but they shall have no vote, and may speak only with the permission of the Speaker.
 13. Every Branch Committee of a Branch entitled to send Delegates to the Party

Congress shall be entitled to nominate up to thirty members of the Party to stand for election to the Central Executive Committee, such nominations should reach the Secretary-General not later than six weeks before the date of Party National Congress.

14. Every Delegate shall vote for thirty candidates to be elected to the Central Executive Committee.
15. The conduct of the entire proceeding of the Party National Congress shall be governed by the First Schedule of this Constitution.
16. The Party Congress shall reserve a quota of thirty per cent (30%) in the Central Executive Committee for the election of female members thereto to encourage women in politics.

CLAUSE IX

PARTY CONFERENCE

1. The Party Conference shall be held once every 18 months except when there is in between a Party National Congress, in which case a Party Conference shall be held not later than 18 months after the Congress. The Central Executive Committee shall have the power to postpone the National Conference for a period not exceeding 6 months.
2. Sub-Clause 2, 3, 6, 7, 10, 11, 12 and 15 of CLAUSE VIII shall apply mutatis mutandis to all Party Conferences.
3. The business at the Party Conference shall be in the following order:-
 - (a) Welcome Speech by National Chairman;
 - (b) Policy Speech by Secretary-General;
 - (c) Central Executive Committee Report presented by Secretary-General;
 - (d) To pass the Minutes of the previous Party National Congress/Party Special Congress, whichever is/are relevant and applicable;
 - (e) To consider and adopt from the Central Executive Committee a duly audited Financial Statement of Accounts covering the preceding financial year/s;
 - (f) To consider and adopt the Central Executive Committee Report;
 - (g) To pass declarations presented by Central Executive Committee;
 - (h) To consider and adopt proposed amendments to the Party Constitution;

- (i) To pass any resolutions presented by the Central Executive Committee;
 - (j) To decide on any resolutions which may be duly submitted to the Party Conference as provided under Sub-Clause 2 of this CLAUSE.
4. At least ten days before the Party Conference, the Secretary-General shall notify all Delegates and Branches entitled to send Delegates to the Conference of the business to be transacted at the Conference. Such notice shall include a Financial Statement of Accounts and any resolution which Branches have indicated their intention of proposing under Sub-Clause 2 of this CLAUSE.

CLAUSE X

MANAGEMENT OF THE PARTY

1. (a) The Party National Congress shall elect a Central Executive Committee consisting of thirty members. The members of the Central Executive Committee shall from amongst their number elect:
- A National Chairman,
 - A National Deputy Chairman
 - National Vice-Chairmen (subject to a maximum of 5),
 - A Secretary-General,
 - Three Deputy Secretaries-General,
 - A National Treasurer,
 - An Assistant National Treasurer,
 - A National Organising Secretary,
 - Assistant National Organising Secretaries (subject to a maximum of 2),
 - A National Publicity Secretary,
 - Assistant National Publicity Secretaries (subject to a maximum of 2),
 - An International Secretary,
 - An Assistant International Secretary,
 - A National Director of Political Education, and
 - An Assistant National Director of Political Education.
- (b) The Central Executive Committee shall have power to co-opt a maximum of ten additional members to the Central Executive Committee.

- (c) Any State Chairman or National Wanita Chief or National DAPSY Chief or DC Chairman who is not elected or co-opted as a member of the Central Executive Committee shall be an ex-officio member thereof without voting rights.
 - (d) A co-opted member or ex-officio member shall with the rest of the Central Executive Committee hold office until the next Party National Congress.
 - (e) The Central Executive Committee may also appoint from amongst its members any person to serve in any capacity in the various bureaus and sub-committees of the Party, as and when the Central Executive Committee deems fit.
 - (f) All office-bearers of the Central Executive Committee shall be eligible for re-election PROVIDED THAT any re-election to the post of Secretary-General shall be subject to CLAUSE X 2(b).
 - (g) More than fifty per cent of the Central Executive Committee members at a properly convened meeting shall form the quorum. For the avoidance of any doubt it is hereby declared that ex-officio members without voting rights shall not be taken into consideration for the purpose of determining the quorum.
2. (a) The executive powers shall be vested in the Secretary- General.
 - (b) The Secretary-General shall not hold office for a total period exceeding three terms whether consecutive or otherwise, provided that the three terms of office shall not include any period where the Secretary-General has been elected to fill any casual vacancy in the said office of his predecessor, irrespective of whatever is the cause for such casual vacancy.
 3. The Central Executive Committee shall form a Central Working Committee, comprising the National Chairman, the National Deputy Chairman, two National Vice Chairmen, the Secretary-General, two Deputy Secretaries-General, the National Treasurer, the National Organising Secretary, the National Publicity Secretary, the International Secretary and the National Director of Political Education.
 4. The Central Working Committee shall carry out such duties and responsibilities as may be delegated to it by the Central Executive Committee.

CLAUSE XI

DUTIES OF THE CENTRAL EXECUTIVE COMMITTEE

1. To present to the Party National Congress and the Party Conference a Central Executive Committee Report together with a duly audited Financial Statement of Accounts.
2. To propose to the Party National Congress or the Party Special Congress or the Party Conference such amendments to the Constitution as may be deemed necessary and to submit to the Party National Congress or the Party Special Congress or the Party Conference such resolutions and/or declarations as in its view may be necessitated by political circumstances.
3. To organize and maintain a Fund to finance elections, and to spread among the people the aims and ideals of the Party.
4. To enforce the Constitution of the Party to promote its aims and to take any action it deems necessary for such purpose.
5. The Central Executive Committee shall establish State Committees, Parliamentary Liaison Committees and Branches of the Party in Malaysia for such states, parliamentary constituencies and areas respectively at such time as it shall deem proper. The Central Executive Committee shall at all time guide and control the of the State Committees, Parliamentary Liaison Committees and Branches in accordance with the policies laid down by the Party Congress and the objects of the Party.
6. To maintain Party discipline and to make rules and regulations governing:- work
 - (a) The appointment, duties, discipline, suspension or expulsion of members; and
 - (b) The functioning, financing, administration, discipline and dissolution of the Branches.
7. To formulate Standing Orders to govern the proceedings of the Party National Congress, Party Conference, State Ordinary Convention, State Annual Convention, Parliamentary Liaison Committee Annual General Meeting, Branch Annual General Meeting and any other meeting or gathering of the Party at any level, if and when necessary.
8. To instruct the Secretary-General or other officers in the conduct of the affairs of the Party. The Central Executive Committee may appoint such organisers and such staff as it deems necessary. It may suspend or dismiss any organiser or

member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Central Executive Committee, or for any other reason which it deems good and sufficient in the interests of Party and to conduct the election of State Committees.

9. In case of any dispute as to the interpretation, construction, rendering and meaning of all or any the of the Rules of this Constitution or of any word or words contained in any such Rule, the interpretation, construction, rendering and meaning determined and fixed by the Central Executive Committee shall be final and conclusive.

CLAUSE XII

POWERS OF THE CENTRAL EXECUTIVE COMMITTEE

1. The National Chairman
 - (a) The National Chairman shall countersign all bills passed by the Central Executive Committee.
 - (b) The National Chairman shall have the right to call meetings of the Central Executive Committee and the Central Working Committee.
 - (c) All duties, powers and responsibilities of the National Chairman of the Party shall in his absence, devolve upon the National Deputy Chairman or the National Vice Chairman or an Acting National Chairman elected by the Central Executive Committee.
2. The Secretary-General
 - (a) The Secretary-General shall be responsible for summoning the Party National Congress, Party Conference, any Party Special Congress, all meetings of the Central Executive Committee and Central Working Committee.
 - (b) He shall conduct its correspondence under the direction of the Central Executive Committee and the Central Working Committee and shall keep a register of members.
 - (c) He shall keep all State Committees, Parliamentary Liaison Committees and Branches fully informed of all important activities of the Central Executive Committee. He shall keep minutes of the Party Congress, Party Conference and other meetings of the Central Executive Committee and the Central Working Committee.

3. The Deputy Secretaries-General

The Deputy Secretaries-General shall assist the Secretary-General in the discharge of his duties, powers and responsibilities and in the absence of the Secretary General, shall act in his place.

4. The National Treasurer

- (a) The National Treasurer shall be responsible for all the funds of the Party and shall issue receipts for all payments made to the Party.
- (b) The National Treasurer shall open such a banking account as the Central Executive Committee may direct and shall deposit therein all monies received by him on behalf of the Party.
- (c) The National Treasurer shall be responsible for drawing up the Financial Statement Accounts for presentation to the Party National Congress and the Party Conference.
- (d) The Assistant National Treasurer shall assist the National Treasurer in the discharge of his duties, powers and responsibilities and in the absence of the National Treasurer shall act in his place.
- (e) The National Treasurer may hold a petty cash not exceeding Two Thousand Ringgit at any one time and no single expenditure exceeding One Thousand Ringgit at any one time may be incurred without the prior sanction of the Central Executive Committee or the Central Working Committee.

5. The National Organising Secretary

- (a) The National Organising Secretary shall assist the Secretary-General to secure the proper functioning and organization of all Party's State Committees, Parliamentary Liaison Committees, Branches, bureaus and sub-committees and in the formation of new State Committees, Parliamentary Liaison Committees, Branches, bureaus and sub-committees of the Party.
- (b) Subject to the direction of the Disciplinary Committee, he shall be responsible for the implementation of any disciplinary measures as may be sanctioned by the Central Working Committee or the Central Executive Committee from time to time.
- (c) He shall also carry out all organizational duties as may be entrusted to him from time to time by the Secretary-General.
- (d) The Assistant National Organising Secretary shall assist the National Organising Secretary in the discharge of his duties, powers and responsibilities and in the absence of the National Organising Secretary, shall act in his place.

6. The National Publicity Secretary

The National Publicity Secretary shall propagate the objectives of the Party through all means available including the publication and distribution of journals, newsletters, etc. The Assistant National Publicity Secretaries shall assist the National Publicity Secretary in discharge of his duties, powers and responsibilities and in the absence of the National Publicity Secretary, shall act in his place.

7. The International Secretary

It shall be the duty and responsibility of the International Secretary to foster international solidarity with members of the Socialist International and other fraternal organizations throughout the world. He shall keep the Central Executive Committee informed of all major events of Socialist International and fraternal organizations. The Assistant International Secretary shall assist the International Secretary in the discharge of his duties and responsibilities and in the absence of the International Secretary, shall act in his place.

8. The National Director of Political Education

It shall be the duty and responsibility of the National Director of Political Education to carry out political education classes or courses on a regular basis for all members, as directed by the Central Executive Committee. The Assistant National Director of Political Education shall assist the National Director of Political Education in the discharge of his duties and responsibilities and in the absence of the National Director of Political Education, shall act in his place.

9. The Central Executive Committee

- (a) The Central Executive Committee shall have the power to appoint a member to fill any vacancy in the Central Executive Committee until the next Party Congress, in accordance with the provisions contained in Sub-Clause 1 of CLAUSE X.
- (b) The Central Executive Committee shall have the power to appoint bureaus and sub-committees with powers to co-opt. Such bureaus and sub-committees shall be responsible to the Central Executive Committee.
- (c) The Central Executive Committee shall meet at least once in three months to arrange the affairs of the Party, and whenever necessary to examine the Account books and Party records. More than fifty per cent of the Central Executive Committee members at a properly convened meeting shall form the quorum.
- (d) The Central Executive Committee shall have the power to appoint, pay and dismiss persons employed by the Party.

- (e) The Central Executive Committee shall have the power to appoint an adviser or advisers to the Party who shall be Federal citizens and who shall on such appointment be entitled to sit and participate at all meetings of the Party but he shall have no voting rights.
 - (f) The selection of candidates to contest seats in local authorities, State Assemblies and Parliament shall be the sole prerogative of the Central Executive Committee, and all decisions of the Central Executive Committee in this matter shall be final and absolute.
 - (g) The Central Executive Committee shall have the power to make rules, regulations and guidelines to carry out the provisions of this Constitution.
 - (h) Any member of the Central Executive Committee who absents himself/herself from three consecutive meetings of the Central Executive Committee without valid reason shall cease to be a member of the Central Executive Committee, and the Central Executive Committee shall have the power to co-opt any member of the Party to take his/her place.
 - (i) The Central Executive Committee shall have the power to appoint a Resolutions Committee and a Constitutional Amendment Committee to vet all resolutions and amendments to the Party Constitution submitted by Branches for consideration and adoption at any Party Congress or Party Conference.
10. All cheques shall be signed by any two of the following:-
The National Chairman, the Secretary-General and the National Treasurer.

CLAUSE XIII

STANDING SUB-COMMITTEE ON MEMBERSHIP

- 1. The Central Executive Committee shall appoint a Standing Sub-Committee on Membership which shall consist of the National Organising Secretary and two other members of the Central Executive Committee. The National Organising Secretary shall be the Chairman of the Standing Sub-Committee on Membership.
- 2. More than fifty percent of the members of the Standing Sub-Committee on Membership at a properly convened meeting shall form the quorum.

3. The Standing Sub-Committee on Membership shall examine all application for membership and shall decide on the acceptance or rejection of all applications.
4. This Standing Sub-Committee shall also conduct periodical reviews of existing membership of the Party and shall make recommendations to the Central Executive Committee on the termination or continuation of Party membership of all members of the Party, having regard to the activities of all members in the light of the Party's objectives, principles and policies.

CLAUSE XIV

STATE COMMITTEES

1. State Committee
 - (a) The Central Executive Committee shall approve the formation of a State Committee for each State as and when it sees fit.
 - (b) The State Committee shall comprise the following persons:
 - (i) Fifteen members of the Party resident in the State who are elected by Delegates at the State Ordinary Convention;
 - (ii) The National Chairman, the Secretary-General and the National Organising Secretary shall be regarded as ex-officio members of all State Committees;
 - (iii) Not more than five additional members from amongst members resident in the State co-opted into the State Committee with the concurrence of the Central Executive Committee;
 - (iv) Not more than five members appointed by the Central Executive Committee.
 - (v) The State Wanita Chief and State DAPSY Chief shall be regarded as ex-officio members of all State Committees without voting rights.
 - (c) Every State Committee, shall elect from amongst its members:
 - A State Chairman,
 - A State Deputy Chairman,
 - Two State Vice Chairmen,
 - A State Secretary,
 - A State Assistant Secretary,

- A State Treasurer,
 - A State Assistant Treasurer (if necessary),
 - A State Organising Secretary,
 - Up to two State Assisting Organising Secretaries,
 - A State Publicity Secretary,
 - A State Assistant Publicity Secretary (if necessary), and
 - A State Director of Political Education.
- (d) The State Committee shall form a State Working Committee comprising the State Chairman, the State Deputy Chairman, the two State Vice-Chairmen, the State Secretary, the State Assistant Secretary, the State Treasurer, the State Organising Secretary, the State Publicity Secretary and the State Director of Political Education. The State Working Committee shall carry out such duties and responsibilities as may be delegated to it by the State Committee. More than fifty per cent of the members of the State Working Committee shall form its quorum.
- (e) Subject to Sub-Clause 8 of CLAUSE XXX, the State Committee shall not hold office for more than three years.
- (f) The State Chairman shall hold office for a total period not exceeding three terms of office whether consecutive or otherwise in a particular State.
2. Duties of the State Committee Office-Bearers:
- (a) The State Committee shall meet at least once in two months and Minutes of such meetings shall be sent to the Secretary-General within seven days of the date of the meeting. More than fifty per cent of the State Committee Members shall form the quorum at a properly convened meeting. Notice of the date, time and venue as well as the agenda of the State Committee meeting shall be sent to all State Committee members no less than seven days before the date fixed for the meeting.
- (b) The State Chairman shall during his term of office preside at all State Committee and State Working Committee meetings, and shall be responsible for their proper conduct. He shall have the right to call meetings of the State Committee and the State Working Committee.
- (c) All duties, powers and responsibilities of the State Chairman shall in his absence devolve upon the State Deputy Chairman or any one of the State Vice Chairman.
- (d) The State Secretary shall conduct the business of the State Committee in accordance with the rules of the Party and the instructions of the Central Executive Committee and the Central Working Committee. He shall also

carry out the instructions of the State Committee. He shall be responsible for the conducting of correspondence and keeping of a register of members in the State, books, documents and papers, except accounts and financial records. He shall attend all meetings, State Ordinary Conventions, State Annual Conventions and State Special Conventions and record the proceedings and be responsible for producing the Minutes of such meetings and conventions. He shall keep all Branches in the State and the Central Executive Committee fully informed of all important activities of the State Committee.

- (e) The State Assistant Secretary shall assist the State Secretary in all administrative work of the State Committee and shall act for him in his absence.
- (f) The State Treasurer shall be responsible for the finances of the State Committee. He shall keep account of all its financial transactions and shall be responsible for their correctness. He shall hold a petty cash not exceeding One Thousand Ringgit at any one time and no single expenditure exceeding Five Hundred Ringgit may be incurred without the prior sanction of the State Committee or the State Working Committee. The State Assistant Treasurer shall assist the State Treasurer in the discharge of his duties, powers and responsibilities and in the absence of the State Treasurer shall act in his place.
- (g) The State Organising Secretary shall assist the State Secretary to secure the proper functioning and organization of all Parliamentary Liaison Committees and Branches of the Party in the State and in the formation of new Parliamentary Liaison Committees and Branches of the Party in the State. He shall also carry out all organizational duties as may be entrusted to him from time to time by the State Secretary.
- (h) The State Assistant Organising Secretaries shall assist the State Organising Secretary in all organizational duties in the State and shall act for him in his absence.
- (i) The State Publicity Secretary shall propagate the objectives of the Party and be also responsible for the distribution of Party newsletters, journal, newspapers and other Party publications to the Branches in the state. He shall also ensure that such newsletters, journal, newspapers and other publications of the Party are distributed to the public in the State.
- (j) The State Assistant Publicity Secretary shall assist the State Publicity Secretary in the discharge of his duties, powers and responsibilities and in the absence of the State Publicity Secretary shall act in his place.

- (k) The State Director of Political Education shall be responsible for carrying out political education classes or courses on a regular basis for all members in the State, as directed by the State Committee.
- (l) All cheques from the State Committee shall be signed by any two of the following: -

The State Chairman, the State Secretary and the State Treasurer.

3. Functions and Powers of the State Committee

Every State Committee shall co-ordinate the activities of all Parliamentary Liaison Committees and Branches of the Party in the State with a view to ensure the maximum efficiency and discipline of the Parliamentary Liaison Committees and Branches in achieving the organizational and political objective of the Party and in carrying out the directives of the Central Executive Committee.

- 4. Subject to the direction of the Central Executive Committee, each State Committee shall exercise a general supervision over the conduct of the financial arrangements of each Branch in the State and shall issue directives to ensure that the accounts of Party Branches in the State are kept in the proper manner and are regularly audited. All Branches shall comply with such directives.
- 5. Each State Committee shall, on the instruction of the National Chairman, Secretary-General or National Organising Secretary of the Party, investigate disputes between members of a Branch, or between members of a Parliamentary Liaison Committee and shall attempt to conciliate such disputes where possible, or make recommendations for the resolution of such disputes to the Central Executive Committee which shall issue such directive as it may deem fit to resolve such disputes.
- 6. Every State Committee may, subject to the approval of the Central Executive Committee, raise funds for the conduct of its activities, and open a banking account or accounts if need be, and shall be responsible to the Central Executive Committee for the proper maintenance and auditing of its accounts.
- 7. Each State Committee shall carry out such other activities and projects at State level as it may devise and as may be approved by the Central Executive Committee, including the publication of newsletters, journals or newspapers.
- 8. The State Committee shall have the power to fill any vacancy in the State Committee until the next State Ordinary Convention as and when it arises, in accordance with the provisions of Sub-Clause 1(b)(i) and (iii) of this CLAUSE.
- 9. The State Committee shall have the power to fill any vacancy among the auditors appointed by the State Ordinary Convention as and when it arises.
- 10. Any member of the State Committee who absents himself/herself from three consecutive meetings of the State Committee without valid reason shall cease

to be a member of the State Committee, and the State Committee shall have the power to co-opt any member of the Party in the State to take his/her place.

11. The Central Executive Committee shall have the power to dissolve any State Committee if it is satisfied that the continued functioning of the Committee will be detrimental to the interest or good image of the Party.
12. In the event of dissolution, the Central Executive Committee shall form an Interim State Committee soonest possible within six months after such dissolution, and appoint its officials and members.
13. Any Interim State Committee so formed shall hold office for not more than six months, unless otherwise extended by the Central Executive Committee.
14. On the expiry of the term of the Interim State Committee, unless otherwise extended, the Central Executive Committee shall call for the reconstitution of a new State Committee in accordance with CLAUSE XIV Sub-Clause 1.

CLAUSE XV

STATE ORDINARY CONVENTION

1. The work of the Party in the State shall be under the direction and control of the State Ordinary Convention, the State Annual Convention and the Central Executive Committee.
2. The State Ordinary Convention shall be held upon the expiration of the term of office of the retiring State Committee, or at such earlier times at the request, made in writing, by at least sixty percent of the Branches entitled to send Delegates to the Convention or at least sixty percent of the Convention delegates, or at the direction of the Central Working Committee or the Central Executive Committee.
3. The quorum for a State Ordinary Convention shall be at least twenty-five per cent of the total number of Delegates entitled to attend the State Ordinary Convention.
4. (a) Each Branch of the Party in the State which is entitled to send Delegates to the State Ordinary Convention shall be entitled to be represented by its Chairman, the Vice Chairman, the Secretary, the Assistant Secretary, the Treasurer, the Publicity Secretary and the Women Affairs Secretary as Delegates at any State Ordinary Convention.
- (b) All the Party's Members of Parliament, State Assemblymen and incumbent State Committee members in a State shall be entitled to attend the State Ordinary Convention of that State as additional Delegates.

5. Members of Branches who are not accredited Delegates from their Branches may also attend such Conventions as Observers with the prior approval of the State Committee in consultation with the Central Executive Committee. They shall have no vote and may speak only with the permission of the Speaker.
6. The date of the State Ordinary Convention shall be fixed by the Central Executive Committee.
7. The business at the State Ordinary Convention shall be in the following order:-
 - (a) To elect fifteen members to the State Committee;
 - (b) To pass the Minutes of the previous State Annual Convention;
 - (c) To consider and adopt from the State Committee a duly audited Financial Statement of Accounts covering the preceding financial year/s;
 - (d) To consider and adopt from the State Committee a Report covering the work and progress of the Party in the State during its term of office;
 - (e) To consider and adopt any resolution which may be duly submitted to the State Ordinary Convention as provided under Sub-Clause 10 of this CLAUSE;
 - (f) To pass resolutions and/or declarations presented by the State Committee;
 - (g) To transact any specific business duly submitted to and approved by the State Committee as provided under Sub-Clause 17 of this CLAUSE;
 - (h) To appoint two members of the Party in the State as internal auditors until the next State Ordinary Convention.
8. The conduct of the entire process of nomination and election of the 15 members to the State Committee shall be the responsibility of the Central Executive Committee.
9. At least eight weeks before the date fixed for the State Ordinary Convention, the State Secretary shall inform all Branch Secretaries in the State of the date fixed for the State Ordinary Convention and draw their attention to Sub-Clause 10,11 and 17 of this CLAUSE.
10. Branches in the State which are entitled to send Delegates to the State Ordinary Convention, desirous of moving any resolution at the State Ordinary Convention, shall give notice thereof in writing to the State Secretary. Such resolution shall be seconded by another Branch which is also entitled to send Delegates and shall reach the State Secretary not later than four weeks before the date fixed for the State Ordinary Convention.
11. Every Branch Committee of a Branch which is entitled to send Delegates to the State Ordinary Convention shall be entitled to nominate up to fifteen members

of the Party in the State to stand for election to the State Committee. Such nomination shall reach the Secretary-General not later than four weeks before the date fixed for the State Ordinary Convention.

12. At least seven days before the State Ordinary Convention or five days before the State Special Convention, the State Secretary shall notify all Branches and Delegates of the business to be transacted at the State Ordinary Convention or the State Special Convention. Notification of the business to be transacted at the State Ordinary Convention shall include the Financial Statement of Accounts covering the preceding financial years/s, any resolution which Branches have indicated their intention of proposing under Sub-Clause 10 of this CLAUSE, a list of all candidates nominated under Sub-Clause 11 of this CLAUSE for election to the State Committee and any specific business duly submitted to and approved by the State Committee under Sub-Clause 17 of this CLAUSE.
13. Before any State Ordinary Convention or State Special Convention, the Central Executive Committee shall appoint members of the Party to act as the Speaker and the Deputy Speaker at any Convention. The Deputy Speaker shall deputise for the Speaker in his absence.
14. Every Delegate shall be entitled to one vote upon any motion.
15. At any State Ordinary Convention or State Special Convention, a matter put to vote of the Convention shall be decided by a show of hands and in the case of an equality of votes, the matter shall be declared lost. Unless a ballot is so demanded, a declaration by the Speaker that a matter has on a show of hands been carried or lost shall be conclusive evidence of the fact. A demand for ballot may be withdrawn. There shall be no voting by proxy.
16. The State Ordinary Convention or the State Special Convention may be adjourned from time to time till the business of the Convention is concluded.
17. Branches which are entitled to send Delegates to the State Ordinary Convention, desirous of proposing any specific business at the State Ordinary Convention, shall give notice thereof in writing to the State Secretary. Such notice shall be seconded by another Branch which is also entitled to send Delegates and shall reach the State Secretary not later than five weeks before the date of the State Ordinary Convention. The decision of the State Committee on allowing or disallowing any specific business to be raised at the State Ordinary Convention shall be final.
18. The conduct of the entire proceeding of the State Ordinary Convention shall be governed by the First Schedule of this Constitution with the necessary adjustments made.

CLAUSE XVI

STATE ANNUAL CONVENTION

1. The State Annual Convention shall be held once in every year except the year of the State Ordinary Convention.
2. Sub-Clause 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 17 and 18 of CLAUSE XV shall apply mutatis mutandis to all State Annual Conventions.
3. The business at the State Annual Convention shall be in the following order:-
 - (a) To pass the Minutes of the previous State Ordinary Convention;
 - (b) To consider and adopt from the State Committee a duly audited Financial Statement of Accounts covering the preceding financial year/s;
 - (c) To consider and adopt from the State Committee a Report covering the work and progress of the Party in the State since the previous State Ordinary Convention;
 - (d) To consider and adopt any resolutions which may be duly submitted to the State Annual Convention as provided under Sub-Clause 2 of this CLAUSE;
 - (e) To pass resolutions and/or declarations presented by the State Committee;
 - (f) To transact any specific business duly submitted to and approved by the State Committee as provided under Sub-Clause 2 of this CLAUSE.
4. At least seven days before the State Annual Convention, the State Secretary shall notify all Branches and Delegates of the business to be transacted at the Convention. Such notice shall include a Financial Statement of Accounts, any resolutions and other specific business which Branches have indicated their intention of proposing under Sub-Clause 2 of this CLAUSE.

CLAUSE XVII

ESTABLISHMENT AND DISSOLUTION OF PARLIAMENTARY LIAISON COMMITTEE

1. The Central Executive Committee may upon the recommendation of the State Committee establish a PARLIAMENTARY LIASON COMMITTEE (hereinafter referred to as “PLC”) in the State in such recommended parliamentary constituency that consists of at least two branches.

2. The Central Executive Committee shall have the power to dissolve any Parliamentary Liaison Committee if it is satisfied that the continued functioning of which will be detrimental to the interest or good image of the Party.
3. In the event of dissolution, the Central Executive Committee shall form an Interim Parliamentary Liaison Committee within six months from the date of dissolution and appoint members of the Branches in such constituency to hold the office of such Interim Parliamentary Liaison Committee until a new Parliamentary Liaison Committee is reconstituted pursuant to the directive of the Central Executive Committee.

CLAUSE XVIII

PARLIAMENTARY LIAISON COMMITTEE ORDINARY GENERAL MEETING

1. The Parliamentary Liaison Committee Ordinary General Meeting (hereinafter referred to as “the PLC OGM”) shall be held once every TWO years. The date of the PLC OGM shall be fixed by the Central Executive Committee.
2. (a) Every Branch in the parliamentary constituency which is eligible to send Delegates to the PLC OGM shall be represented by its Chairman (or an alternate delegate appointed by that Local Branch if its Chairman declines to be a delegate to the PLC OGM).
- (b) The Party’s Members of Parliament and State Assemblymen and the Chiefs of Youth and Wanita divisions in the parliamentary constituency shall be entitled to attend the PLC OGM as additional Delegates.
3. The business of the PLC OGM shall be in the following order:
 - (a) To elect office bearers of the Parliamentary Liaison Committee
 - (b) To pass minutes of the previous PLC OGM;
 - (c) consider and adopt from the Parliamentary Liaison Committee a duly audited Financial Statement of Accounts covering the preceding financial year;
 - (d) To consider and adopt a Report covering work and progress of the Parliamentary Liaison Committee;
 - (e) To consider and adopt any resolutions/declarations that may be put before it;
 - (f) To appoint two Branch members in the parliamentary constituency to be the internal auditors until the next PLC OGM.

4. At least 7 days before the date fixed for the PLC OGM, the Co-Ordinator shall send notice of the time, date and place as well as agenda of the meeting to all the Delegates to the PLC OGM.
5. The quorum of the PLC OGM shall be at least 50% of the total number of Delegates entitled to attend the PLC OGM.
6. In the event of the required quorum is not present the PLC OGM shall be adjourned for thirty minutes. On the meeting being reconvened after the adjournment, if the required quorum is still not present, the Speaker shall adjourn the meeting to a date to be fixed by the State Committee. The quorum of the subsequent meeting shall be the number of delegate present which shall not be less than 25% of the total number of delegates.

CLAUSE XIX

PARLIAMENTARY LIAISON COMMITTEE

1. The composition of the PLC shall be as follows:-
 - (a) the Party's Member of Parliament in the Parliamentary Constituency;
 - (b) the State Assemblymen in the Parliamentary Constituency;
 - (c) the Chief of Youth Division in the Parliamentary Constituency;
 - (d) the Chief of Wanita Division in the Parliamentary Constituency; and
 - (e) the Chairman of the eligible Branches.
2. The PLC shall elect from among its members in Sub-Clause 1 the following office bearers:-
 - a PLC Co-Ordinator (who shall be the Party's Member of Parliament in the Parliamentary Constituency);
 - a PLC Secretary;
 - a PLC Treasurer;
 - a PLC Organising Secretary;
 - a PLC Publicity Secretary;
3. The State Committee shall have the power to appoint a suitable person from amongst the PLC to be the PLC Co-Ordinator in any of the following:
 - (a) where the Party's Member of Parliament or State Assemblymen declines to be the PLC Co-Ordinator

- (b) where there is no Member of Parliament or State Assemblyman from the Party in the Constituency
- (c) where there is more than one State Assemblymen but no Member of Parliament from the Party in the Constituency
- 4. The PLC shall have the power to appoint from among the Branch members in the parliamentary constituency any member to fill any vacancy in the PLC until the next PLC OGM as and when it arises.
- 5. The Parliamentary Liaison Committee shall have the power to appoint from among Branch members in the parliamentary constituency any member to fill any vacancy of internal auditors as and when it arises.
- 6. Duties of the Liaison Committee Office Bearers:
 - (a) PLC Co-Ordinator shall preside at all meetings of the Liaison Committee. He shall have the right to call meetings of the Liaison Committee.
 - (b) The PLC Secretary shall be responsible for the conducting of correspondence and he shall send the Minutes of all Committee Meetings to the Secretary-General within seven days of the date of the meeting.
 - (c) The PLC Treasurer shall be responsible for the finances of the Liaison Committee. He shall keep accounts of all its transactions.
 - (d) The PLC Organising Secretary shall ensure the proper functioning and organisation of the PLC. He shall also carry out all organisational duties as may be entrusted to him from time to time by the PLC Secretary
 - (e) The PLC Publicity Secretary shall propagate the objective of the Party.
- 7. Functions and powers of the Parliamentary Liaison Committee:-
Every Parliamentary Liaison Committee shall assist the State Committee in co-ordinating the activities of the Branches in the constituency and shall carry out any responsibility entrusted to it by the State Committee or the Central Executive Committee.
- 8. Subject to Sub-Clause 8 of CLAUSE XXX, the Parliamentary Liaison Committee shall not hold office for more than two years.
- 9. The Parliamentary Liaison Committee shall meet once in two months and more than twenty five percent of its members shall form the quorum at a properly convened meeting. The notice calling for a meeting shall be sent to all members of the Committee at least seven days before the date of the meeting.
- 10. All cheques from the Parliamentary Liaison Committee shall be signed by any two of the following:- The PLC Co-Ordinator, the PLC Secretary and the PLC Treasurer.

CLAUSE XX

ESTABLISHMENT AND DISSOLUTION OF BRANCHES

1. The Central Executive Committee of the Party may, at its discretion, approve the formation of a Branch in any area where members of the Party reside or work.
2. The Central Executive Committee may dissolve a Branch:-
 - (a) If it is satisfied that there have been irregularities in the administration of the Branch; or
 - (b) If the Branch refuses to abide by the rules of the Party or the decision of the Party Congress or Party Conference or the Central Executive Committee or the State Ordinary Convention or the State Annual Convention or the State Committee, or if it is in the opinion of the Central Executive Committee guilty of conduct prejudicial to the ideals and objects of the Party.
3. A decision to dissolve a Branch shall be by a majority vote at a meeting of the Central Executive Committee, provided that before a decision is taken to dissolve a Branch, the Branch concerned shall be given two weeks notice and an opportunity to answer the allegations.
4. The order of dissolution shall be signed by the Secretary-General. On receipt of such order the Branch Committee shall cease to function except for the purpose of winding up.
5. In the event of a Branch being dissolved for the reason stated in Sub-Clause 2 of this CLAUSE, the members of the Branch concerned shall cease to be members of the Party. The Central Executive Committee, however, may exempt individual members of the Branch from this provision, and such members shall on exemption continue to be regarded as members of the Party.
6. It shall be the responsibility of the Chairman, the Secretary and the Treasurer of such Branch Committee to deliver to the Secretary-General all books, records, monies and other property in the possession of the Branch, together with a statement of accounts of the Branch from the date of the last submission of accounts to the date of the order of dissolution.
7. The Central Executive Committee shall have the powers to dissolve any Branch Committee if it is satisfied that their existence is detrimental to the interests of the Party. In the event of such dissolution, a new Branch Committee shall be re-constituted by the Central Executive Committee not more than three months after such dissolution.

8. During the interim period, the Central Executive Committee may form an Interim Branch Committee, and appoint its officials and members.

CLAUSE XXI

BRANCH ANNUAL GENERAL MEETING

1. Every paid-up member of a Branch of the Party shall have the right to attend, speak and vote at any Annual General Meeting of his Branch.
2. The Branch Annual General Meeting shall be held once in every year. This Branch Secretary shall send notice of the time, date and place as well as the agenda of the meeting and a Financial Statement of Accounts to all paid-up members of the Branch not less than seven days before the date fixed for the Branch Annual General Meeting.
3. Subject to Sub-Clause 3A, the business of the Branch Annual General Meeting shall be in the following order:-
 - (a) To elect the following office bearers:
 - A Branch Chairman,
 - A Branch Vice Chairman,
 - A Branch Secretary,
 - A Branch Assistant Secretary,
 - A Branch Treasurer,
 - A Branch Publicity Secretary,
 - A Branch Women Affairs Secretary,
 - 2 Branch Committee Members;
 - (b) To elect Delegates to the Party Congress in accordance with the provisions of Sub-Clause 3(a) of Clause VIII of this Constitution;
 - (c) To pass the Minutes of the previous Branch Annual General Meeting;
 - (d) To consider and adopt from the Branch Committee an audited Financial Statement of Accounts covering the preceding financial year;
 - (e) To consider and adopt from the Branch Committee a Report covering the work and progress of the Branch during its term of office;
 - (f) To consider and adopt any resolutions that may be put before it;
 - (g) To appoint two members of the Branch to be the internal Auditors until the next Branch Annual General Meeting.

- 3A. Notwithstanding sub-clause 3 of this clause the business under (a) & (b) thereof shall be conducted biennially
- 3B. Subject to sub-clause 8 of Clause XXX the Branch Committee shall not hold office for more than two years.
4. The position of the Women Affairs Secretary shall only be held by a female member of the Branch.
5. A Special Branch General Meeting shall be convened on the instruction of the State Committee or the Central Executive Committee.
6. Notice for a Special Branch General Meeting shall be sent to all paid-up members of the Branch not later than five days before the date fixed for the Meeting and shall state the subject or subjects to be discussed at the Special Branch General Meeting. No other subjects shall be discussed at such a Meeting. Members of the Branch attending such Meetings shall be paid-up members of the Party and shall be entitled to speak and vote upon any motion put before it.
7. The quorum of a Branch Annual General Meeting or a Branch Special General Meeting shall be eleven paid-up members of the Party of the Branch.
8. In the event of there being no quorum, the Meeting shall be adjourned for thirty minutes. On the Meeting being reconvened after the adjournment, should the number present be still less than eleven paid-up members of the Party of the Branch, the Speaker shall adjourn the Meeting to a date to be fixed by the State Committee, and the quorum of the subsequent meeting shall be not less than eight paid-up members of the Branch.

CLAUSE XXII

BRANCH COMMITTEE

1. A Branch Committee shall have the power to co-opt not more than an additional six members to the Branch Committee, subject to the approval of the Central Executive Committee.
2. The duties of the Branch Committee shall be to manage the affairs of the Branch in accordance with the rules of the Branch and the instruction of the Central Working Committee, the Central Executive Committee, the Party National Congress, the Party Special Congress and the Party Conference. It shall meet at least once in a month, and more than half of its members shall form the quorum.

3. The Branch Secretary shall forward a copy of the Minutes of each meeting to the Secretary-General not later than seven days after the meeting unless otherwise directed by the Secretary-General.
4. The Branch Committee or any member thereof shall not issue any public statements on any Party policy without the prior concurrence of the Secretary-General of the Party.
5. The Branch Committee shall have the power to appoint from among the members of the Branch any member to fill any vacancy in the Branch Committee until the next Branch Annual General Meeting as and when it arises.
6. The Branch Committee shall have the power to appoint from among the members of the Branch any member to fill any vacancy of Auditors in the Branch as and when it arises.

CLAUSE XXIII

DUTIES OF BRANCH OFFICE-BEARERS

1. The Chairman shall during his term of office call and preside at all Committee meetings and shall be responsible for their proper conduct.
2. The Vice-Chairman shall deputise for the Chairman during the latter's absence.
3. The Secretary of the Branch shall conduct the business of the Branch in accordance with the rules of the Party and the instruction of the State Working Committee, State Committee, the Central Working Committee and the Central Executive Committee. He shall carry out the instructions of the Branch Annual General Meeting, the Special Branch General Meeting and the Branch Committee. He shall be responsible for the conducting of correspondence and keeping of a register of all members in the Branch, books, documents and papers except accounts and financial records. He shall attend all meetings of the Branch Committee and Branch and record the proceedings and shall be responsible for the production of minutes of such meetings.
4. The Assistant Secretary shall assist the Secretary in all administrative work of the Branch and shall act for him in his absence.
5. The Treasurer shall be responsible for the finances of the Branch. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall also be responsible for the collection and remittance of Party annual subscription of all members of his Branch to the Party Treasurer within

the first month of every year. For the purpose of this, he shall be responsible to draw the attention of all members of his Branch to Sub-Clauses 2, 3 and 4 of CLAUSE V of the Party Constitution.

6. The Publicity Secretary shall be responsible for the propagation of Party objectives in the area and also for the distribution of Party newsletters, journals, newspapers and other Party publications to the public in the area where his Branch is.
7. The Women Affairs Secretary shall be responsible for recruiting women members and organizing activities for women members.
8. Any member of the Branch Committee who misses three consecutive meetings of the Branch Committee without valid reason shall cease to be a member of the Branch Committee and the Branch Committee shall have the power to co-opt any member of the Branch to take his place.
9. All cheques issued by the Branch shall be signed by any two of the following:- Chairman, Secretary and the Treasurer.

CLAUSE XXIV

GENERAL PROVISIONS RELATING TO BRANCHES

1. Where no special provision has been made in these rules for any matter relating to the management of the affairs of the Branches of the Party, the relevant rules relating to the management of the Headquarters organization shall be followed in so far as it is applicable.
2. The Party National Congress, the Party Special Congress, the Party Conference, the State Ordinary Convention, the State Annual Convention, the Central Working Committee, the Central Executive Committee, the State Committee and the Parliamentary Liaison Committee may give instructions to the Branch Annual General Meeting or to the Committee of any Branch relating to the management of its affairs, and such instructions shall be faithfully followed by the Branch concerned.

CLAUSE XXV

FUNDS AND ACCOUNTS

1. All funds accumulated at the Head Office, State Offices, Parliamentary Liaison Committee Offices or the Branches of the Party shall be the common assets of the Party.
2. The Central Executive Committee shall decide from time to time the percentage of subscriptions to be held by the Branches as Branch funds and shall also decide what type of expenditure shall be paid from Branch funds.
3. The Branch may also receive assistance from the Party funds for specific purposes as may be decided upon by the Central Executive Committee. Every Branch Treasurer shall forward to the National Treasurer the annual subscriptions received by the Branch less the percentage to be retained as Branch funds within the first month of each financial year.
4. The Branch may also collect donations from members and supporters on the authority of the Central Executive Committee. The funds collected from such donations shall be submitted to the National Treasurer less the percentage to be retained as Branch funds, if any, as may be decided by the Central Executive Committee.
5. The Branch Treasurer shall forward to the National Treasurer before 15th of each month a statement of the income and expenditure of the Branch for the preceding month.
6. The Branch funds shall be deposited in the name of the Branch in a Bank to be approved by the Central Executive Committee, and the account shall be operated by the Branch Chairman, the Branch Secretary and the Branch Treasurer. The Branch Treasurer may hold a petty cash not exceeding Four Hundred Ringgit at any one time.
7. Any expenditure exceeding Four Hundred Ringgit at any one time shall not be incurred by the Branch Treasurer without the prior sanction of the Branch Committee.
8. All monies, books and other property of the Party held by any Branch which is being dissolved shall be sent without delay by the Branch Secretary to the Secretary-General together with a statement of accounts in accordance with Sub-Clause 6 and 7 of CLAUSE XX.

CLAUSE XXVI

AMENDMENTS TO THE CONSTITUTION

1. Amendments to the Constitution shall only be made at the Party National Congress or a Party Special Congress specifically called for that purpose or the Party Conference.
2. Any Branch desirous of proposing amendments to the Constitution shall submit the same in writing and duly seconded by another Branch to the Party Secretary-General to reach him not later than 28 days before the date fixed for the Party National Congress, the Party Special Congress or the Party Conference. Such proposed amendments shall be considered for tabling at the Party National Congress or the Party Special Congress or the Party Conference if such proposed amendments are properly worded.
3. The proposed amendments shall be circulated to Delegates at least seven days before the Party National Congress or the Party Special Congress or the Party Conference.
4. Any resolution proposing the repeal, addition to or amendment of any of these CLAUSES at any Party National Congress or Party Special Congress or Party Conference shall be null and void unless half the Delegates present vote in favour of such resolution.

CLAUSE XXVII

AUDIT

1. The Party National Congress shall appoint as Auditor a qualified accountant (or a firm of accountants) who shall not be a member of the Party. The Auditor thus appointed shall hold his appointment until he resigns or until his appointment is otherwise terminated by the Party Congress.
2. In the event of his resignation, the Central Executive Committee shall appoint another qualified accountant (or a firm of accountants) who shall not be a member of the Party as Auditor until the next Party National Congress.
3. The Auditor shall be required to audit accounts of the Party for the year and to prepare a report or certificate for the Party Congress. He may also be required by

the National Chairman to audit the accounts of the Party or any of its Branches for any period within his tenure of office at any date and to make a report to the Central Executive Committee.

4. The Party National Congress shall appoint not less than two internal auditors to audit the accounts of the Party Headquarters. The Central Executive Committee shall appoint not less than two internal auditors to audit the accounts of all Sub-Committees, Branches, Parliamentary Liaison Committees and State Committees shall be required to submit their accounts to these internal auditors for internal auditing.

CLAUSE XXVIII

TRUSTEES

1. Three trustees, who must be over 21 years of age, shall be appointed by the Central Executive Committee and shall hold office during the pleasure of the Party. They shall have vested in them all immovable property whatsoever belonging to the Party and shall deal with it in such manner as the Central Executive Committee may direct.
2. The trustees shall not sell, withdraw or transfer any of the property of the Party without the consent and authority of the Central Executive Committee.
3. A trustees may be removed from office by the Central Executive Committee on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reason, is unable to perform his duties or is unable to do so satisfactorily. In the event of death, resignation, expulsion or removal of a trustee, the vacancy shall be filled by the Central Executive Committee.

CLAUSE XXIX

DISSOLUTION OF THE PARTY

The Party may be voluntarily dissolved by the resolution of not less than three quarters of the total membership. In the event of the Party 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 manners as may be decided upon by a Party Congress.

CLAUSE XXX

GENERAL

1. The Financial Year of the Party shall commence on the 1st of January and end on the 31st of December. Within six months after the end of the term of office, the Central Executive Committee shall call the Party Congress and shall submit to it a Report with a Financial Statement and the duly audited accounts of the Party during its term of office.
2. No member shall, except for professional services rendered at the request of the Central Executive Committee, receive any profit, salary or emoluments from the funds or transactions of the Party.
3. Every member shall faithfully and fully abide by every decision made by the Party National Congress or the Party Special Congress or the Party Conference or by the Central Executive Committee or the Central Working Committee until such time as the decision is amended or revoked.
4. Only the National Chairman or the Secretary-General of the Party can issue any statement to the Press in the name of the Party unless otherwise authorized jointly by the National Chairman and the Secretary-General.
5. All notices and other communication shall be deemed to be duly served if addressed to the last known address of the member or person.
6. The Central Executive Committee shall have the power to use at its discretion the funds of the Party or monies collected by donations from members to compensate a member of the Party who has suffered any loss or injury as a direct or indirect result of activity carried out for the Party.
7. The Central Executive Committee shall have the power to establish the Youth and Wanita Sections of the Party and shall make such rules and regulations to govern the management and activities of such sections.
8. The Central Executive Committee shall have the powers to extend the term of office of the State Committee, Parliamentary Liaison Committee and Branch Committee for a period of not more than six months.
9. Only candidates who have complied with all candidature requirements and have received nominations from not less than two Branches which are entitled to send Delegates shall be eligible for election to the State Committee at any State Ordinary Convention or to the Central Executive Committee at any Party National Congress.

10. No member who has joined the Party for a period less than two (2) years, except with the approval of the Central Executive Committee, shall be eligible :
 - (a) to be appointed as a candidate for the election of the Central Executive Committee and/or the State Committee of the Party;
 - (b) to be appointed as a candidate for being councilor of any local authorities; and
 - (c) to stand as a candidate for the Party for any election for being local councilor, or State Assemblyman of any State and/or Member of Parliament of any Parliamentary constituency.
11. All words in this Constitution importing/implying the male gender shall be construed as including the female gender, unless otherwise stated.

FIRST SCHEDULE: CONGRESS/CONFERENCE STANDING ORDER

HOURS OF MEETING

1. Delegates and Observers shall assemble at 9.00am or at any other time fixed, on the day of the Congress/ Conference.
2. The Congress/Conference shall adjourn for break at 1.00pm and reassemble at 2.00pm or at any other time fixed, on the day of the Congress/Conference.
3. The Speaker shall determine the time for adjournment of the Congress/ Conference.

LIMITATION OF SPEECHES

4. A Delegate shall be allowed to speak up to a maximum of 10 minutes each on the Report from the Central Executive Committee, the Financial Statement of Accounts from the Committee, the Resolutions put forward by the Committee, the Amendment to the Party Constitution and on any Party Declaration or the specific matter in the case of the Special Congress.
5. No Delegate shall speak more than once on any one subject put to the Congress/ Conference.
6. Only those motions/resolutions that had already been forwarded to the Secretary-General and recommended by the Resolutions Committee or the Central Executive Committee shall be debated by the Delegates.

7. Emergency motions/resolutions may be introduced by any Delegate after the business to which the Congress/ Conference relates to has been concluded provided such motion/resolution is put in writing to the Speaker and prior permission obtained from the Speaker. The Speaker's decision on the matter shall be final.
8. The mover of a motion/resolution, including an emergency motion/resolution, shall be allowed to speak up to a maximum of 5 minutes and the Seconder and each succeeding speaker up to a maximum of 3 minutes each.
9. A Delegate shall not be allowed to speak more than once on any motion/resolution/emergency motion/emergency resolution, except the original mover who shall have the right of reply up to a maximum of 5 minutes.
10. Limitation on speeches shall not apply to the Principal Officials of the Party whenever the Speaker is of the opinion that they are required to explain or clarify any matter.
11. Notwithstanding Standing Order 4, 8 and 9, the Speaker is empowered to vary the stipulated time as and when he deems necessary.
12. Observers may speak only with the permission of the Speaker when no more Delegates wish to speak. The Speaker's decision on this matter shall be final.

AMENDMENTS TO MOTIONS/RESOLUTIONS

13. An amendment to a motion/resolution may only be introduced after the original motion or resolution has been seconded. Only a Delegate may introduce any amendment to a motion or a resolution and speak on such amendment for not more than 5 minutes.
14. Immediately after the amendment has been moved, the mover of such amendment shall hand over the proposed amendment in writing to the Speaker of the Congress/ Conference. The Speaker shall then call for the seconding of the amendment and if such amendment is duly seconded, it shall be opened for discussion. Each speaker on the amendment, including the Seconder, shall not speak for more than 3 minutes.
15. No Delegates shall be allowed to introduce more than one amendment to any one motion or resolution.
16. If there is more than one amendment, the first amendment shall be disposed of before proceeding to the next one.
17. If in the process of disposal, any amendment is adopted by the Congress/ Conference, there shall be no further discussion on the subsequent amendments provided such subsequent amendments are dissimilar to the one adopted and will not alter materially the amendment adopted earlier.

18. When one or more of the amendments have been accepted, discussion on the motion or resolution as a whole as amended shall resume and a vote taken, and if all amendments are defeated, discussion on the original motion or resolution shall resume and a vote taken.
19. A motion/resolution or an amendment may be withdrawn at the request of the mover at any time before the matter is fully put to Congress/Conference for discussion.
20. If the matter on an amendment to a motion/resolution or to another amendment has been put for discussion, the original motion/resolution or amendment shall not be withdrawn until the amendment thereto has been disposed of.

ORDER OF SPEAKERS

21. A Delegate desiring to speak shall raise his hand and if called upon by the Speaker, shall speak. If two or more Delegates raise their hands at the same time, the Speaker shall call upon the Delegate who catches his eye first to speak.
22. A Delegate who has spoken may speak again when a new matter is put for discussion by the Speaker, such as a proposed amendment.
23. A Delegate who has spoken on a matter may again be heard to offer explanation on some material part of his speech which has been misunderstood, but shall not introduce any new matter.
24. A Delegate shall confine his observation to the subject under discussion and shall not introduce any matter irrelevant thereto.
25. It shall be out of order to attempt to reconsider any specific question upon which the Congress/Conference has come to a conclusion during the current session.
26. It shall be out of order to use words which are offensive, insulting or uncomradely on members of the Party or any body duly constituted under the Party Constitution.
27. No Delegate/Observer shall impute improper motives to any other Delegate/Observer or member.
28. If the Speaker is of the opinion that any motion or amendment or the continuance of the debate thereon is calculated to give rise to breaches of this Order, he may disallow the motion or amendment or as the case may be, may terminate the debate and direct that no further proceedings be taken on the motion or amendment.
29. No Delegate shall interrupt another Delegate except:-
 - (a) By rising on a Point of Order, when the Delegate speaking shall resume his seat and the Delegate interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Speaker for decision; or

- (b) By rising on a Point of Clarification, provided that the Delegate speaking is willing to give way and resume his seat and that the Delegate wishing to interrupt is called by the Speaker.
- 30. Whenever the Delegates are called to order by the Speaker, or whenever the Speaker intervenes during a debate, any Delegate then speaking, or offering to speak, shall resume his seat, and the Congress/Conference shall be silent so that the Speaker may be heard without interruption.
- 31. Whilst the Congress/Conference is in session:-
 - (a) All Delegates/Observers shall enter, leave and behave in the Congress/Conference with decorum;
 - (b) No Delegate/Observer shall cross the floor of the Hall unnecessarily;
 - (c) Delegates and Observers shall not read newspapers, books, letters or other documents except such matters therein as may be directly connected with the business under debate;
 - (d) No Delegates or Observers shall smoke in the Hall;
 - (e) While a Delegate is speaking, all other Delegates and Observers shall be silent and shall not make unnecessary interruptions;
 - (f) Taping of proceeding of the Congress/Conference by any Delegate or Observer is prohibited unless prior permission is obtained from the Speaker.
- 32. No Delegate/Observer when taking part in the proceedings of the Congress/Conference shall make any allegation against any member or any body duly constituted under the Party Constitution, which he is unable to substantiate with facts to the satisfaction of the Speaker.
- 33. The Speaker shall be responsible for the observance of the rules of order in the Congress/Conference Hall, and his decision on any Point of Order shall not be opened to appeal and shall not be reviewed by the Congress/Conference except upon a motion moved for that purpose. Such a motion shall be given in writing.

RULING BY SPEAKER

- 34. The Speaker, after having called the attention of the Congress/Conference to the conduct of a Delegate who persists in irrelevance, or in tedious repetition either of his own arguments or those used by other Delegates in debates, shall direct him to discontinue his speech.
- 35. Should the Speaker consider that there is no material difference of opinion on any matter among the Delegates, or the views expressed are repetitive, he shall have the power to stop the debate and put the matter to a vote.

36. Should any Delegate/Observer conduct himself in a grossly disorderly manner at any session of the Congress/ Conference, or refuse to obey the Speaker when called to order, he shall be named by the Speaker and shall be ordered to leave the Hall for the remaining part of the session and shall not be allowed to enter the Hall without the consent of a simple majority of the Delegates. For the purpose of ensuring compliance with any order referred to herein before, the Speaker shall, if deemed necessary, take reasonable steps for the removal of such member from the Hall.
37. No Delegate or Observer shall leave the Congress/ Conference Hall without obtaining prior permission from the Speaker.
38. In the case of grave disorder arising in the Congress/ Conference Hall, the Speaker may, if he deems it necessary so to do, adjourn the Congress/Conference without putting any question or suspend the session for a time to be fixed by him.
39. Nothing in this Order shall be taken to deprive the Congress/Conference of the power of proceeding against any Delegate or Observer provided it is done in the form of a resolution of the Congress/Conference.

VOTING

40. Any matter put to the vote of the Congress/Conference shall be decided by a show of hands and in the case of an equality of votes, the matter shall be declared lost. Unless a ballot is so demanded, a declaration by the Speaker that the matter has, on a show of hands, been carried or lost shall be conclusive evidence of the fact.
41. A Delegate may demand for a ballot and the Speaker shall put the matter to a vote provided it has been seconded.
42. A demand for a ballot may be withdrawn before the matter is put to a vote.
43. Every Delegate at the Party National Congress shall be entitled to receive a list of names of all candidates seeking election to the Central Executive Committee.
44. Every Delegate present in the Hall at the time of the conduct of election to the Central Executive Committee shall be issued with a ballot paper and each Delegate shall vote 30 candidates for the election to the Central Executive Committee.
45. Any Delegate who votes for less or more than 30 candidates will have his ballot paper rejected.
46. In the case of a Party Special Congress called for the purpose of electing a new Central Executive Committee, Standing Order 43, 44 and 45 shall apply mutatis mutandis.

47. There shall be no voting by proxy.
48. Observers shall have no voting rights on any matter.
49. At the beginning of every session of the Congress/ Conference, the Speaker shall appoint Tellers.

SUSPENSION OF STANDING ORDERS

50. The Congress/Conference Standing Order may be suspended as a whole or in parts thereof if such a suspension is agreed to by a simple majority of the votes cast by the Delegates present at the Congress/Conference.

GENERAL

51. The Deputy Speaker when deputizing for the Speaker shall be vested with all the powers of the Speaker.
52. The Speaker and the Deputy Speaker shall be addressed as “Comrade Speaker”.
53. The term “Delegate” shall include “Observer” if applicable.
54. This Standing Orders shall also be applicable to the Party Special Congress with the necessary adjustments.

Constitutional amendments adopted at the Party Conference held on 20 March 2022 and approved by the Registrar of Societies on 06 July 2022 included.