

# CONSTITUTION OF THE LAW SOCIETY

## PREAMBLE

We the Members of the Law Society, University of Malaya, envision to be:  
**United** as one fraternity,  
**Committed** in achieving distinction,  
**Democratic** in deciding the trajectory of our growth,  
and  
**Transparent** in all our undertakings be it past, present or future.

The objects and functions of this Constitution shall be:

- a) to foster a spirit of organisation and greater cooperation among the students of the Faculty of Law;
- b) to organise and regulate student welfare facilities in the Faculty of Law including recreational facilities, and spiritual and religious activities, subject to the rule of law;
- c) to make representation to the Dean on all matters relating to, or connected with, the living and working conditions of the students of the Faculty of Law;
- d) to undertake such other activities as may be determined by the Board from time to time.

## Part I GENERAL

### 1. Effect of the Constitution

- (1) This Constitution may be cited as the Constitution of UM Law Society.
- (2) This Constitution stipulates the rights and obligations of every Member of the Law Society provided that it shall not contravene any provision in the University of Malaya (Student Bodies) Statute 1979 and the Universities and University Colleges Act 1971.
- (3) This Constitution shall be binding as soon as it enters into force insofar as the provisions of this Constitution are consistent with the University of Malaya (Student Bodies) Statute 1979 and the Universities and University Colleges Act 1971.
- (4) Any provision in this Constitution shall not have retrospective effect.

### 2. Interpretation

In this Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“ad-hoc committee” means a temporary committee appointed by the Executive Council through its vested powers under Article 9(1) of Form 2 of the University of Malaya (Student Bodies) Statute 1979 to manage a Law Society project, event or activity that is under the management of the Executive Committee and direct supervision of the Executive Council.

“Annual General Meeting” refers to the annually held meeting as provided under Articles 4 and 5 of Form 2 of the University of Malaya (Student Bodies) Statute 1979.

“Auditing Committee” means an independent committee elected through an Extraordinary General Meeting by a simple majority of the Members present to be entrusted with the task of inspecting the accounts of the Law Society.

“Executive Committee” refers to additional members appointed by the Executive Council to directly assist the Council as fixed members of the bureaux listed in Schedule 1 of the Constitution.

“Executive Council” means the office bearers of the Law Society as defined in Schedule 1 of the Constitution and elected in accordance with the procedure specified in Form 2 of the University of Malaya (Student Bodies) Statute 1979.

“Extraordinary General Meeting” means a meeting initiated by the Members to discuss arising matters in accordance with the procedure laid out in Article 5 of the Constitution.

“extreme circumstances” refers to a matter where there is a pressing need to act in balancing the collective interest of the Members with other conflicting interests. To consider what is extreme, the Executive Council shall have regard to:

- (i) Any investigation made by the Law Society;
- (ii) Any attempts by the disputing Members to settle the conflict internally;
- (iii) Availability of other reasonable recourse.

If all alternatives are exhausted, the Executive Council may regard the matter as an extreme circumstance.

“General Meeting” means either an “Annual General Meeting” or an “Extraordinary General Meeting” organised by the Executive Council or in the circumstances falling under Article 5(2) of the Constitution, organised by the Members, whereupon motions may be passed by the Members in accordance with Article 3 of this Constitution.

“Law Society Project” means any project, club, event or activity approved by the Law Society as listed in Schedule 2 of the Constitution and managed either directly by the Executive Committee or delegated by the Executive Council to the Project Director or Head of the Club.

“Member” refers to every student undertaking the Bachelor of Law degree and the Bachelor of Jurisprudence degree in the Faculty of Law, University of Malaya.

“Project Director and Head of the Club” refers to the person undertaking the responsibility to manage a Law Society Project as the director or the head, accordingly appointed by the Executive Council under Article 9(1) of Form 2 of the University of Malaya (Student Bodies) Statute 1979.

“Project Sub-committee” refers to the committee members of a Law Society Project appointed by the Project Director to manage the project, club, event or activity. The appointment, removal and regulation of Project Sub-Committee members is subject to the discretion of the Project Director for that Law Society Project.

“show of just cause” means any reason, justification or explanation supporting any proposal, policy or decision.

“sufficient notice” is presumed on the part of the Members when the Executive Council has duly communicated any announcements through the Law Society’s social media platforms, the Law Society’s notice board and the notice board for every respective student batch.

“written memorandum” means any written and duly signed motion or proposal made to the Executive Council by the Members.

## **PART II RIGHT OF MEMBERS**

### **3. Right to vote and pass motion**

- (1) Subject to Clause (3), every Member has the right to vote on any motion in all General Meetings.
- (2) The right to vote shall be exercised by a show of hands or, upon agreement by a simple majority of the Members present, by a secret ballot.
- (3) The right to vote upon a specific matter put forward during General Meetings
  - a) is inalienable;
  - b) shall lapse after the General Meeting is adjourned, except upon the agreement by a simple majority of the Members present, that the voting shall be postponed to a later date.
- (4) Unless otherwise expressly stated in the Constitution, any motion that has been passed by a two-third majority of the Members present in a General Meeting shall be regarded as binding upon all members.

### **4. Right to propose motion during General Meeting**

- (1) In accordance with Clauses (2), (3) and (4), every member has the right to propose a motion with a show of just cause.
- (2) The right to propose a motion shall include, but is not limited to, the following:
  - a) to object any policy, decision or action which have been made, whether executed or not, by the Executive Council, which includes, but is not limited to, the following matters:
    - (i) appointment of Executive Committee members and Project Directors;
    - (ii) selection of ad-hoc committee members for any Law Society Project;
    - (iii) approval or management of any Law Society Project;
    - (iv) statement, resolution or any express representation made by the Executive Council;
  - b) to object to any policy, decision or action which have been made, whether executed or not, by the ad-hoc committee of any Law Society Project;
  - c) to review the whole, or a part, of the operation of any Law Society Project;
  - d) to initiate a new Law Society Project, provided that it shall not, directly or indirectly, overlap or compete with any existing Law Society Project;
  - e) to recommend the resignation of any Executive Council member, Executive Committee member, Project Director, or committee member of a Law Society Project;

f) to submit any matter concerning the affairs of any Law Society Project to the Dispute Resolution Mechanism as provided in Article 24.

(3) Any motion proposed shall be seconded by another Member present in the General Meeting before that motion can be voted for passing.

(4) Any motion made under this Article shall be recorded in writing, and thereafter be signed by both the members proposing and seconding that motion at the end of the General Meeting.

## **5. Right to initiate Extraordinary General Meeting**

(1) Every member has the right to initiate an Extraordinary General Meeting through a written memorandum supported by one-half of the total members.

(2) Upon the failure of the Executive Council to hold an Extraordinary General Meeting within 14 days after receiving a successful written memorandum, the Members have the right to hold and chair an Extraordinary General Meeting with or without the presence of the Executive Council, and that the chairman shall be elected by a simple majority of the Members present.

## **6. Right to attend General Meetings**

(1) Every member has the right to attend any General Meeting.

(2) Every member has the right to propose a reschedule of the date of any General Meeting through a written memorandum supported by one-third of the total members. Such memorandum should be submitted to the Executive Council and made known to the Members in no less than 7 days before the original date of the General Meeting.

## **7. Right to examine accounts and minutes of past General Meetings**

(1) Every member has the right to examine the accounts of the Law Society or any Law Society Project.

(2) Such right may be exercised by submitting a formal letter to the Executive Council.

(3) Accounts shall be revealed by the Executive Council upon request of the Members at a date of no later than 7 working days after the date of request.

(4) The Members may pass a motion in a General Meeting to request for the establishment of an Auditing Committee to audit the accounts of the Law Society.

## **8. Right to participate in any Law Society Project**

(1) Every Member has the right to participate in any Law Society Project.

(2) Every Member has the right to attend interviews held to recruit ad-hoc committee members for any Law Society Project.

(3) Every Member has the right to propose a date, or object to a proposed date, of any

event or activity organised by any Law Society Project, provided that such proposal or objection is made in writing and duly submitted to the Executive Council in no less than 7 working days before the original date.

(4) Every Member has the right to refer any matter relating to the general affairs and running of any Law Society Project to the dispute resolution mechanism as provided in Part VI of the Constitution.

#### **9. Right to remove and re-elect a member of the Executive Council**

(1) Every Member has the right to pass a motion of no confidence against any member of the Executive Council.

(2) A motion under Clause (1) shall be made in writing with the support of at least two third of the total members.

(3) A motion passed under Clauses (1) and (2) shall be executed in accordance with the provisions of the University of Malaya (Student Bodies) Statute 1979 and the Universities and University Colleges Act 1971.

(4) Upon the removal of any member of the Executive Council, a new member shall be elected via a secret ballot in an Extraordinary General Meeting which shall be held at least two weeks from when the date of a motion of no confidence was passed.

### **PART III POWERS OF THE EXECUTIVE COUNCIL**

#### **10. Power to hold Extraordinary General Meetings**

(1) Nothing in this Article shall affect the operation of Annual General Meetings which shall be held in accordance with the University of Malaya (Student Bodies) Statute 1979.

(2) The Executive Council has the power to hold Extraordinary General Meetings upon

- a) A motion of any Member in accordance with Article 5(1);
- b) Its own initiative provided that it acquires the written support of one-half of the total members in compliance with the provisions of the University of Malaya (Student Bodies) Statute 1979.

(3) The Executive Council has the power to determine the date and time of Extraordinary General Meetings.

(4) Subject to Article 5(2), the Executive Council has the power to appoint any member to chair any Extraordinary General Meetings.

#### **11. Power to approve Law Society Projects**

(1) The Executive Council has the power to approve all Law Society Projects subject to Article 4(2)(a)(iii).

(2) The Executive Council has the power to delegate the management of any Law Society Project to a Project Sub-committee appointed by the Project Director or Head of the club.

## **12. Power of appointment and removal**

(1) The Executive Council has the power to appoint the Project Director or the Head of the Club to manage any Law Society Project, subject to the procedure provided in Article 19.

(2) The Executive Council has the power to appoint Executive Committee members to assist the Council in its work, subject to Article 20.

(3) The Executive Council may appoint or remove any member of any Project Sub Committee provided that such power can only be exercised in extreme circumstances.

## **13. Power to resolve disputes**

(1) The Executive Council has the power to hear, adjudicate and decide on any matter brought forward to it, in writing, by a Member relating to the general affairs of any Law Society Project through the exercise of his rights under Article 4(2)(f).

(2) The tribunal to hear, adjudicate and decide on any matter brought under Clause(1), must be composed of an odd number of Executive Council members with a minimum of 3 members.

(3) Any decision made by the Executive Council under this Article shall be final and conclusive, unless and until an appeal motion is made to an Extraordinary General Meeting in accordance with Article 24 where the decision may be reversed.

## **PART IV OBLIGATIONS OF THE EXECUTIVE COUNCIL**

### **14. Obligation to implement motions passed**

The Executive Council shall accordingly implement any motion passed during any General Meeting in accordance with Article 4(4) as soon as practicable.

### **15. Obligation to communicate its policies and decisions to the Members**

Any policy or decision of the Executive Council shall be communicated to the members, as soon as practicable, except if a duration has been expressly provided on a specific matter in this Constitution.

### **16. Obligation to hold Extraordinary General Meeting**

(1) The Executive Council shall hold an Extraordinary General Meeting upon receiving a successful written memorandum proposing to initiate an Extraordinary General Meeting in accordance with Article 5.

(2) The Executive Council may consider any successful memorandum proposing the rescheduling of an Extraordinary General Meeting, made in accordance with Article 7(2). Upon full consideration, the Executive Council may accept and duly execute the rescheduling, or reject the proposal if it thinks that rescheduling would be inconvenient.

### **17. Obligation to reveal accounts and minutes of past General Meetings**

The Executive Council shall reveal the accounts and minutes of past General Meetings of the Law Society upon request of any Member in the exercise of his rights under Article 7(1) within one week after the date of such request, provided that such obligation only applies after the Constitution comes into force.

### **18. Obligation to resign from office**

Upon the successful passing of a motion of no confidence against any member of the Executive Council through the exercise of the right of any member under Article 9, such member of the Executive Council shall resign immediately from his position in accordance with the University of Malaya (Student Bodies) Statute 1979 and the Universities and University Colleges Act 1971.

## **PART V APPOINTMENT OF PROJECT DIRECTORS, EXECUTIVE COMMITTEE MEMBERS AND MEMBERS OF AD-HOC COMMITTEE**

### **19. Appointment of Project Directors for existing Law Society Projects**

(1) The power of appointment of new Project Directors for any existing Law Society Project is vested in the outgoing Project Director of that Law Society Project subject to Clause (3).

(2) The outgoing Project Director shall discharge his powers provided under Clause (1) either through:

- a) a vote by the present Project Sub-Committee members; or
- b) direct appointment after consultation with the present Project Sub-Committee members.

(3) Sufficient notice of the appointment of a new Project Director must be served to all members in not less than two weeks before the Annual General Meeting.

(4) Any objections against the appointment of a new Project Director may be made by any Member in accordance with Article 4(2)(a)(i) in no later than two weeks after the notice of appointment has been served.

### **20. Appointment of Project Directors for new Law Society Projects**

(1) For the purpose of this Article, a new Law Society Project is any project, club, event or activity not currently listed in Schedule 2.

(2) The application for the position of Project Director for any new Law Society Project shall be opened to all Members.

(3) The Executive Council shall serve sufficient notice to the Members on the application for an appointment of Project Directors for new Law Society Projects.

(4) The Executive Council may conduct an interview with all interested applicants at least one week after the date of the notice of application.

(5) After deciding on the appointment of any Project Director, the Executive Council shall communicate to the Members of their decision in no later than one week after the interview.

(6) Objections against the appointment of a Project Director may be made by any Member in accordance with Article 4(2)(a)(i) in no later than two weeks after the notice of appointment has been served.

## **21. Appointment of Executive Committee members**

(1) The application for the position of Executive Committee member shall be opened to all Members.

(2) The Executive Council shall serve sufficient notice to the Members on the application for the appointment of Executive Committee members.

(3) The Executive Council shall conduct an interview with all interested applicants at least one week after the date of the notice of application.

(4) Before deciding upon the appointment of Executive Committee members, the Executive Council shall give due consideration to the nature and purpose of the specific portfolio in which the appointment relates to.

(5) After deciding on the appointment of Executive Committee members, the Executive Council shall communicate the decision to the Members in no later than one week after the interview.

## **22. Appointment of ad-hoc committee members**

(1) The appointment of ad-hoc committee members may be made by the Project Director for a Law Society Project.

(2) The Project Director shall give due consideration to the nature and purpose of the Law Society Project in which the appointment relates to.

(3) The ad-hoc committee is dissolved at the end of the event in which they were appointed to manage.

## **23. Appointment of Project Sub-committee members**

(1) The application for the position of Project Sub-committee members shall be opened to all members.

(2) The Project Director shall serve sufficient notice to the members for the appointment of Project Sub-committee members.



(3) The Project Director shall conduct an interview with all interested applicants at least one week after the date of the notice of application unless he has provided reasonable justification which had been communicated and accepted by the Executive Council.

(4) The Project Director shall give due consideration to the nature and purpose of the Law Society Project in which the appointment relates to.

(5) After deciding on the appointment of Project Sub-committee members, the Project Director shall communicate to the members of the decision in no later than one week after the interview.

## **PART VI DISPUTE RESOLUTION**

### **24. Mechanism to address any arising matters related to Law Society Projects**

(1) The Executive Council shall be the first to hear, adjudicate and decide on any matter brought forward by a member relating to the general affairs of any Law Society Project through the exercise of his rights under Article 4(2)(f).

(2) The decision of the Executive Council made pursuant to Clause (1) shall be communicated to the Members in no later than one week after the matter was raised.

(3) After a decision is made, or if no decision has been made within one week, or if any Member is dissatisfied with the decision of the Executive Council, such member may pass a motion to refer the matter to a General Meeting with show of just cause.

## **PART VII CONSTITUTIONAL AMENDMENTS**

### **25. Procedure of amending the Constitution**

(1) Any provision in this Constitution is subject to any amendments through a successful motion passed in a General Meeting.

(2) Subject to Clause (3), any motion for a constitutional amendment may only be passed if it is supported by a two-third majority of the Members present in a General Meeting.

(3) Amendments to Schedule 2 of the Constitution shall be made in accordance with Article 4(4).

## **SCHEDULES**

### **SCHEDULE 1**

#### *Duties of Individual Committee Members*

#### **1. The President**

The President shall:

a. be the Chief Executive;

- b. chair all Committee Meetings;
- c. present an annual report of the activities of the Society during the relevant Society Session at the Annual General Meeting;
- d. convene an Extraordinary General Meeting in the event of 4 or more of the Committee posts falling vacant;
- e. sign the minutes of all Committee Meetings after they have been adopted by the Committee;
- f. appoint any member of the Committee to be the acting Secretary in the event of the Secretary's absence;

## **2. Vice President**

The Vice President shall:

- a. be the Acting Chairman of the Committee in the absence of the Chairman;
- b. assist the Chairman in the discharge of his duties;
- c. be responsible for maintaining close relationship with the Faculty of Law and other student representatives in the Faculty of Law.
- d. be responsible for the promotion of social awareness among law students;
- e. be responsible for the promotion of relationship between law students;
- f. be the representative of the Law Society.

## **3. The Secretary**

The Secretary shall:

- a. convene the Annual General Meeting upon the instruction of the Committee;
- b. convene any Extraordinary General Meeting at the request of the Committee;
- c. be responsible for the general correspondence of the Society;
- d. record the proceedings of all meetings of the Society, or in his or her absence by any member of the Committee subject to the approval of the President;
- e. prepare the minutes of all Meetings of the Society;
- f. maintain an up-to-date membership roll of the Society.

## **4. The Treasurer**

The Treasurer shall:

- a. keep a full and accurate record of all financial transactions of the Society;
- b. present a full financial report and audited statement of accounts at the end of the Society Session.

## **5. The Vice Secretary**

The Vice Secretary shall:

- a. assist the Secretary in secretarial affairs;
- b. substitute for the Secretary when he or she is incapacitated from secretarial duties.

## **6. The Academic Bureau**

The Academic Bureau shall:

- a. be responsible for all activities with an academic nature of the Society;
- b. be active in pursuing academic opportunities for the betterment of the Society Members;
- c. be representatives of the Society.

## **7. The Publicity Bureau**

The Publicity Bureau shall:

- a. be responsible for publicizing and promoting all activities of the Society;

- b. be responsible for the upkeep and maintenance of the Society's social media and outreach networks;
- c. be representatives of the Society.

#### **8. The Logistics and Welfare Bureau**

The Logistics and Welfare Bureau shall:

- a. be responsible for the logistical aspects of all activities of the Society;
- b. be responsible for preserving the welfare of all Society Members;
- c. be representatives of the Society.

#### **9. The Sports Bureau**

The Sports Bureau shall:

- a. be responsible for all sports activities of the Society;
- b. be active in improving physical health of the Society Members;
- c. be the representatives of the Society.

#### **10. Saving for bureau changes as necessary**

Such roles and responsibilities of Executive Committee members are subject to change as necessary, as decided by the Executive Council of the relevant session.

### **SCHEDULE 2**

*List of existing Law Society Projects:*

- (i) Lex Gala
- (ii) Moot Club
- (iii) UM Consti Team
- (iv) Lex Ordinem Orientation Committee
- (v) UM Law FC
- (vi) Lex Act
- (vii) Law Faculty Islamic Students Association
- (viii) Ecolawgy UM
- (ix) UM JusTech