

PAM/SA/04/22-2

18 April 2022

TO ALL PAM MEMBERS

**EXTRAORDINARY GENERAL MEETING OF PERTUBUHAN AKITEK MALAYSIA
SATURDAY, 23 APRIL 2022, AT 12.30 P.M. AT DEWAN PRESIDEN, LEVEL 2,
PAM CENTRE, 99L JALAN TANDOK, 59100 KUALA LUMPUR.**

Due to insufficient quorum at the Extraordinary General Meeting (EGM) of the Pertubuhan Akitek Malaysia on 16 April 2022, pursuant to Clause 7.8, the said EGM is adjourned to **Saturday, 23 April 2022, at 12.30 pm, at Dewan Presiden, Level 2, PAM Centre, 99L Jalan Tandok, 59100 Kuala Lumpur** to transact the business as set out in the Notice of Extraordinary General Meeting dated 01 April 2022.

The purpose of the Extraordinary General Meeting is to table to Members the following resolutions for amending the PAM Constitution and Bye-Laws, to be approved by a two-third majority of Corporate Members present at the EGM. Once the Resolution is passed by the Members at the EGM, the amendments shall be submitted to the Registrar of Societies (ROS) for approval before adoption by PAM.

PREAMBLE

During PAM Council 2021-2022 term, the following proposals for the amendments to the PAM Constitution and Bye-laws were tabled and endorsed by Council to be presented to members at an EGM:

Resolution 1: To amend the PAM Constitution and Byelaws to reflect the resolutions adopted by the members at the 55th Annual General Meeting of PAM on 24 April 2021:

- To allow for Graduate Members to have a representative elected among Graduate Members to Council through a modification of the existing election system at PAM.
- The representative Graduate Member on Council to have the right to vote in Council.
- That the elected Graduate Member representative to become the Chairperson of a permanent 'Graduate Committee' (ie. formerly called PAM:NEXT) with adequately allocated resources.

Resolution 2: To amend the PAM Constitution to correct a transcription error previously not picked up and should be corrected. The referred clause should be '4.2.2 Ordinary Member' and not '11.2.2', which does not exist.

Resolution 3: To amend the PAM Constitution and Bye-laws to reflect the revised nomenclature and to ensure there is no confusion with the previous PAM Code of Professional Conduct or with the Code of Conduct For Architects as contained in the Architects Act 1967/Architects Rules 1996. The new updated PAM Code of Conduct had been circulated to members and came into effect from 13 April 2021. The updated PAM Code of Conduct maintains all the same existing principles of good conduct and behaviour set out in the preceding PAM Code of Professional Conduct which it now supersedes. It is re-stated in a brief and easily readable format and further sets out PAM's commitment as a professional organisation to uphold respect for environment, heritage and community well-being in Clause 15 of PAM Byelaws.

Resolution 4: To amend the Constitution to allow for a two-year Council term. In 2016, the Council presented a Council term of two years for consideration. However, it did not receive the

two-thirds majority needed to amend the constitution. Since then, many developments and changes took place. The number of council members expanded, now totalling 31 comprising of 5

Office Bearers, 1 Immediate Past President, 4 nominated Past Presidents, 5 Chapter Chairmen, 13 Ordinary Council members and 3 nominated Non-Corporate members.

As more administrative staff were added to deal with the ever increasing issues, activities, programmes and events. There are now 31 secretariat staff in total. The creation of more committees meant programmes, events and activities also increased and many became more complex. In addition, issues relating to the profession become ever increasing complex. Time becomes essential to address these concerns. The current term of one year needs to be reviewed and extended.

The rationale for a two-year Council term are as follows:

1. Effective period of the council term

a) The effective period for the elected council member is from May to March, i.e. 10 months, as 2 months are lost due to the elections.

b) Before elections, the programmes, events and activities almost grind to a stop as Council Members slow down to prepare for the elections.

c) One month after the elections, the newly elected Council Members need to prepare the new programmes and activities.

d) If a member is elected twice consecutively, the number will be 20 months, as opposed to having a straight term of 2 years or 22 effective months. This will be beneficial in terms of planning and execution of programmes, events and activities.

e) With 22 effective months, the elected president will have more time to plan out his vision and directions. Many agenda and issues could be planned, researched and discussed, and subsequently executed.

f) The current short term of one-year term limits council members to change and present no continuity to the cause.

2. Administrative

A two-year term may reduce the hassle of changing the signatories of Office Bearers, i.e. President, Deputy President, Honorary Treasurer and Honorary Secretary, with the bank every year. This also applies to the changing of the Board of Directors in all PAM subsidiary companies.

3. Costs

a) A 2-year term will reduce tangible and intangible costs of running the elections. It will reduce approximately RM 8,500 fees for the e-voting system only.

b) It also costs the secretariat considerable commitment during the month of elections. The staff involved becomes unproductive as they focus on activities that needed to run the elections.

4. External representations

It takes time for a PAM representative to build rapport with the external agencies such as PBT, GLC, etc. As such, it does not bode well for PAM when PAM has to keep changing the PAM representatives annually, especially when representing as a Committee Member or a member of the Advisory Board at the local councils.

5. Newly elected council members

It takes time, money and effort for newly elected council members to familiarise themselves with the workings of the Council.

Disadvantages of a two-year term

a) Any council member may not perform as expected. There is no provision in the constitution to remove or replace the non-performing council member.

b) In order to address this matter, there is a need to amend the constitution to include a clause to remove or replace the said member and safeguard the interests of PAM.

Resolution 5: To amend the Constitution to expand the number of Chapters' Committee members in order to better serve the Chapter members. The Chapter Committee felt that there is an increased need to expand the number of Committee members in order to serve the Chapter members better by providing more services and programs for professional development. More members also have been showing interest to contribute to the Institute. The proposal will give the Chapters more flexibility to operate with 6 to 9 committee members.

Following the above rationale, Council proposes the following Resolutions for approval by members at the EGM:

RESOLUTION 1: It is hereby resolved that the amendments to PAM Constitution as shown in Appendix 1 are approved by PAM members at the PAM Extraordinary General Meeting on 16 April 2022. Items that fall under this resolution are as follows:

- Resolution 1.1 : (New) Clause 8.8A – Graduate Representative on Council
- Resolution 1.2 : Clause 8.10 – Nominated Members of Council
- Resolution 1.3 : (New) Clause 24.9 – Election of Graduate Representative on Council

RESOLUTION 2: It is hereby resolved that the amendments to PAM Constitution as shown in Appendix 2 are approved by PAM members at the PAM Extraordinary General Meeting on 16 April 2022.

The item that fall under this resolution is as follows:

PAM Constitution

- Resolution 2.1 : Clause 4.3.3(a) – Graduate Member

RESOLUTION 3: It is hereby resolved that the amendments to PAM Constitution and Byelaws as shown in Appendix 3 are approved by PAM members at the PAM Extraordinary General Meeting 16 April 2022.

Items that fall under this resolution are as follows:

PAM Constitution

- Resolution 3.1 : Clause 3.10 – Objects and Powers
- Resolution 3.2 : Clause 4.6.3.2 – Payment of Entrance Fees and Subscriptions
- Resolution 3.3 : Clause 4.6.4.1 – Rights, Privileges and Obligations
- Resolution 3.4 : Clause 5.1(b) – Termination of Membership

PAM Bye-Laws

- Resolution 3.5 : Clause 11.0 – Disciplinary Inquiry - Interpretation
- Resolution 3.6 : Clause 11.1 – Ground for Dismissal
- Resolution 3.7 : Clause 11.4 – Respondent to be informed Provisions of Constitution
- Resolution 3.8 : Clause 11.11 – Council to Decide

- Resolution 3.9 : Clause 11.12 – Disciplinary Committee’s Own Action

RESOLUTION 4: It is hereby resolved that the amendments to PAM Constitution and Byelaws as shown in Appendix 4 are approved by PAM members at the PAM Extraordinary General Meeting 16 April 2022.

Items that fall under this resolution are as follows:

PAM Constitution

- Resolution 4.1 : Clause 8.3 – President
- Resolution 4.2 : Clause 8.4 – Immediate Past President
- Resolution 4.3 : Clause 8.5 – Deputy President and Vice President
- Resolution 4.4 : Clause 8.6 – Honorary Secretary
- Resolution 4.5 : Clause 8.7 – Honorary Treasurer
- Resolution 4.6 : Clause 8.8 – Ordinary Member of Council
- Resolution 4.7 : Clause 8.10 – Nominated Members of Council

RESOLUTION 5: It is hereby resolved that the amendments to PAM Constitution as shown in Appendix 5 are approved by PAM members at the PAM Extraordinary General Meeting on 16 April 2022.

The item that fall under this resolution is as follows:

PAM Constitution

- Resolution 5.1 : Clause 16.1 – Chapters Committee

Once the Resolutions are passed by the Members at the EGM, the amendments shall be submitted to the Registrar of Societies (ROS) for approval before adoption by PAM.

Thank you.

Yours faithfully
for **PERTUBUHAN AKITEK MALAYSIA**



Ar S. Thirilogachandran
Honorary Secretary

Enclosures:

- Appendix 1
- Appendix 2
- Appendix 3
- Appendix 4
- Appendix 5
- Reply Slip