



**MINUTES OF THE 57TH ANNUAL GENERAL MEETING OF PERTUBUHAN AKITEK MALAYSIA,
HELD ON SATURDAY, 29 APRIL 2023, AT 10.00 A.M. AT PAM CENTRE, 99L JALAN TANDOK,
BANGSAR, 59100 KUALA LUMPUR, MALAYSIA, AND VIA ZOOM MEETING**

Present

Corporate

1. Ar. Sarly Adre bin Sarkum (Chairman)
2. Ar. Abdul Malek bin Hj. Hassan
3. Ar. Abu Zarim bin Abu Bakar
4. Ar. Adrianta bin Aziz
5. Ar. Ahmad Fahmy bin Mohd Omar
6. Ar. Ahmad Farik bin Abd Ghaffar
7. Ar. Ahmad Hazman Alif bin Che Ahmad Tazri
8. Ar. Ahmad Ridha bin Abdul Razak
9. Ar. Aimi Ramizah binti Roslan
10. Ar. Akbal Singh
11. Ar. Almaz Salma binti Abdul Rahim
12. Ar. Amerpal Singh Khosa a/l Jasbant Singh
13. Ar. Amzar bin Ahmad
14. Ar. Azril Amir Jaafar
15. Ar. Brian Wong Jiann Luan
16. Ar. Chai Si Yong
17. Ar. Cheah Ming Yew, David
18. Ar. Chiam Tat Hong
19. Ar. Chong Lee Siong
20. Ar. Chong Yeh Seh, Issey
21. Ar. Choo Heng Huat, Daniel
22. Ar. Chuah Pei Jin
23. Ar. Chua Seong Poon
24. Ar. Chung Pui Gin
25. Ar. David Yek Tak Wai
26. Ar. Dexter Koh Yew Peng
27. Ar. Ellina Suhaida binti Abdul Rahman
28. Ar. Erdayu Os'hara Omar
29. Ar. Erman bin Abdul Razak
30. Ar. Esmonde Yap Shiwen
31. Ar. Datuk Ezumi Harzani Ismail
32. Ar. Goh Kai Chuan
33. Ar. Gwendoline Lee Hui Wen
34. Ar. Hanaz Ismadi bin Mohd Nazri
35. Ar. Hazri Abdul Aziz
36. Ar. Henry Lee Inn Seong
37. Ar. Hoi Jung Wai
38. Ar. Hue Chiun Hau
39. Ar. Husam bin Abdul Fatah Haron
40. Ar. Jacky Lim Chung Yer
41. Ar. Jafri Merican bin Din Merican
42. Ar. John Koh Seng Siew
43. Ar. Khaw Chin Im
44. Ar. Khoo Chee Siong
45. Ar. Kuan Fook Yee, Eric
46. Ar. Kwan Chee Hung, Arnold
47. Ar. Lai Chu, Paul
48. Ar. Lai Pui Yin, Arista
49. Ar. Lau Hin Bee
50. Ar. Lau Wei Lin
51. Ar. Lee Chor Wah
52. Ar. Lee Tee, Anthony
53. Ar. Leong Pek Lian, Alice
54. Ar. Lillian Tay Wai Fun
55. Ar. Lim Eam Hooi
56. Ar. Lim Hai Seah, Alvin
57. Ar. Dato' Loh Chiak Eong
58. Ar. Loo Chee Keong
59. Ar. Low Ai Ling
60. Ar. Menaha Ramanath
61. Ar. Mohd Fakhri b. Abdul Rahman
62. Ar. Mohd Hazriq bin Mohd Din
63. Ar. Mohd Hisham bin Saihari
64. Ar. Mohd Irfan bin Che Mat
65. Ar. Mohd Zulhemlee bin An
66. Ar. Mok Juang Yu
67. Ar. Muhammad Qhawarizmi bin Norhisham
68. Ar. Mustapha Kamal bin Zulkarnain
69. Ar. Ng Chee Hin
70. Ar. Ng Chee Twan
71. Ar. Datin Norwina Mohd Nawawi
72. Ar. Ong Chin Hoong
73. Ar. Norzaini bin Mufti @ Ahmat
74. Ar. Rosli bin Mohd Ali
75. Ar. Rushdina binti Ismail
76. Ar. Saiful Anuar bin Abd Ghani
77. Ar. Sarizal Yusman bin Yusoff
78. Ar. Serina Hijjas
79. Ar. Shafik bin Kamarulzaman
80. Ar. Hj. Siti Norlina binti Abdul Malik
81. Ar. Sri Nor Shamsul Rizal bin Mohammad Jalani
82. Ar. Syahril Nizam bin Kamaruddin
83. Ar. Tan Kwon Chong, Rien
84. Ar. Dr. Tan Loke Mun
85. Ar. Tan Meng Hooi, Joseph
86. Ar. Teh Yee Neng
87. Ar. Teoh Wui Leng, David
88. Ar. Thang Boon Ang, Steven
89. Ar. Thirilogachandran a/l Shanmugasundaram
90. Ar. Tiong Kian Boon
91. Ar. Wong Lot Yee
92. Ar. Wong Ming Ming

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| 93. Ar. Yap Seng Chye, Chris | 98. Ar. Yong Chee Keat |
| 94. Ar. Yap Siow Chek | 99. Ar. Yu Tieng Wei |
| 95. Ar. Yasmin binti Abdul Rahman | 100. Ar. Zamri bin Ismail |
| 96. Ar. Yeang King Mun, Kenneth | 101. Ar. Zul Azri bin Abdullah |
| 97. Ar. Yee Tah Min | 102. Ar. IDr. Dato' Zulhairi bin Md Zain |

Non Corporate Member
Associate Graduate

1. Wan Siti Hajar binti Omar

In attendance

- | | |
|-----------------------|------------------------|
| 1. Zarina Ibrahim | Executive Secretary |
| 2. Victor Koo | Group Internal Auditor |
| 3. Nor Suryati Sulong | Project Executive |

INTRODUCTION

The 57th PAM Annual General Meeting (AGM) was held on 29 April 2023, at 10.00 a.m. at PAM Centre, 99L, Jalan Tandok, Bangsar, 59100 Kuala Lumpur, Malaysia as the primary place, and via Zoom meeting, attended by 102 Corporate Members and 1 Associate Graduate Member.

Assoc Prof (Ind) Ar. Sarly Adre Sarkum, PAM President and Chairman of the AGM, announced at 10.30a.m. that there were 75 Corporate Members present. Pursuant to Clause 7.8, these Corporate Members present at the meeting shall constitute a quorum, and he called the meeting to order. He thanked all present for attending the AGM. This is the first time an AGM is held with physical attendance concurrently with virtual participation, after the amendments made to the PAM Constitution and Byelaws to allow for virtual participation was approved by the Registrar of Societies.

The Chairman informed the meeting that Council had appointed Ar. Michael Ching Chee Hoong as the Election Officer and Ar. Almaz Salma Abdul Rahim as the Deputy Election Officer for the Council term 2023-2024 Elections. The Chairman invited 3 Corporate Members to volunteer as scrutineers for the verification of the results from the PAM Election website. The scrutineers were Ar. Sarizal Yusman Yusof, Ar. Mustapha Kamal Zulkarnain and Ar. Joseph Tan Meng Hooi.

The Chairman then proceeded with the Agenda of the 57th PAM Annual General Meeting as follows:

1.1 CONFIRMATION OF MINUTES OF THE 56th ANNUAL GENERAL MEETING HELD ON 23rd APRIL 2022

The Minutes of the 56th Annual General Meeting held on 23 April 2022 were confirmed as correct records of the AGM, as proposed by Ar. Ahmad Fahmy Mohamad Omar and seconded by Ar. David Teoh Wui Leng.

1.2 MATTERS ARISING FROM THE MINUTES OF THE 56th ANNUAL GENERAL MEETING HELD ON 23rd APRIL 2022

Page 9, item 7.1: Letter from Ar Mustapha Kamal Zulkarnain and Ar Almaz Salma Abdul Rahim dated 31 March 2022 requesting for an explanation on failure to implement virtual General Meetings and when it shall take place.

The PAM Constitution and Bye-laws stipulated that a period of 60 days' notice is required for PAM Council to decide to allow virtual participation at this AGM (2023). There was insufficient notice for last year's (2022) AGM as the notice of AGM was issued on 1 April 2022 for AGM scheduled on 16 April 2022 (15 days only). The virtual participation of PAM Members at the AGM and EGM this year (2023) is possible as the notices were issued on 13 February 2023. The matter then has been deemed fully resolved.

2.0 REPORTS - To receive the Annual Report of the Council for 2022 - 2023

A pdf copy of the Annual Report 2022-2023 had been circulated to all members and the print copy is also available at the AGM. President and Chairman of the AGM, Ar. Sarly reported on the key activities of 2022-2023 as follows (a copy of the additional presentation is available upon request):

- Ar Sarly expressed thanks to all the Council Members for their hard work. He added that he was inspired by the commitment by Council Members in promoting excellence in architecture and the built environment.
- The Chairman also thanked the secretariat team for always being available to answer questions and for handling all the little details that made a big difference. He added that the secretariat staff's professionalism and expertise made it clear that they were an essential part of the team in the Institute, and he was grateful for everything that the staff did in the course of carrying out their duties.
- Ar Sarly highlighted his vision consisting of 7 precepts (Unity, Engagement, Inclusiveness, Practice Impact, Equality, Wellbeing and Sustainability) and 5 pillars (Institute and Community, Engagement, Inclusiveness, Practice Impact and Equality).
- One of the major events of the Institute, KLAF2022, where PBSB recorded a net profit of RM1,711,597 for the year 2022, was a significant improvement compared to RM760,538 net loss for 2021. Resumption of ARCHIDEX exhibition and surpluses of KLAF 2020-2022 reflected in the same financial year 2022 contributed to the improved net profit.
- KLAF 2023 with the theme Next 100 was launched in January 2023. KLAF 2023 Director is Ar Norzaini Mufti. Ar Sarly encouraged members to join the exciting year-long programmes in celebration of 100 years of the Institute.
- Improved financials - Net Group Profit of RM 418,266 in 2022 which has increased by RM 2,082,373 compared to 2021.
- Improved Awards & Competitions – PAM implemented electronic PAM Awards for the first time where the entries were submitted online, resulting in cost savings and being environmental-friendly. The conveners for 2023 were Ar Lee Chor Wah and Ar Rien Tan.
- Improved efficiency - The Council meetings are shorter. The Chair expressed a special note of thanks to the Honorary Secretary, Ar Dexter Koh, and proposed for the next Council term to look into forming an Information Technology Permanent Advisory team.
- Increased member engagement: Council managed to carry out quarterly Town Halls as an effort to reach out to members on pertinent matters affecting them and the profession. Lembaga Arkitek Malaysia joined PAM for the third Town Hall in March 2023. There has been a myriad of social engagement activities such as the first PAM Fun Run organised by Ar Aimi Roslan, and many more under both PAM and KLAF 2023.
- Increased government engagement: These are among the key leaders whom Council engaged with many issues that are part of our profession: YB Nga Kor Ming, Minister of KPKT; YB Nik Nazmi, Minister of Natural Resource Environment and Climate Change; YB Senator Tengku Zafrul, Minister of International Trade & Industry; YB Dato Sri Alexander Nanta Linggi, Minister of Works; YB Khairul Firdaus Akbar Khan, Deputy Minister of Tourism, Arts and Culture; and the previous Mayor of Kuala Lumpur, Datuk Seri Mahadi Che Ngah.
- Improved practice: Engagements and movements toward more sustainable practice environment. It was an active year led by Practice Chair Ar Anthony Lee Tee and Co-Chairs Ar. David Teoh, Ar. Ng Chee Hin and Ar. Thirilogachandran. The team is dedicated to improving the submission process and improve all manner of practice issues. One of the issues that we are moving closer to is the realisation of the initiative for the Architects' fee with the stakeholder, the amendment to the Architects Act 1967 and hopefully its forthcoming implementation.
- Increased public engagement: Engagements through the media such as interviews to promote architects through Singgah:KL project initiated by the POP Committee.
- Support for young architects and graduates. For the first time, the architectural students workshop was held in Sarawak. The architectural students workshop is but one of the various and numerous education activities and competitions. An annual highlight for students is the PAM Silver Medal & Bronze Medal Awards which ended its second 5-year cycle in 2022

and we thank Tan Sri Ar Esa Mohamed, the benefactor of the Awards for his generous contribution.

- Ar Sarly reported that on the International scene, Ar Saifuddin Ahmad will helm the Presidency of ARCASIA on 1st January 2024. Datuk Ar Tan Pei Ing is the current UIA Secretary General, and with PAM's full support she will contest the UIA Presidency this year. Additionally, PAM won the bid to host UIA 2024 International Forum, with Datuk Ar Ezumi Harzani as Convener. PAM will welcome Forum delegates to Kuala Lumpur in November 2024.
- Honorary Secretary's Report - The Honorary Secretary Ar Dexter Koh reported that the Honorary Secretary's 2022-2023 Report is available for members' information on pages 12 and 13 of the Annual Report 2022-2023.

The AGM accepted the Annual Report of the Council 2022-2023, as proposed by Ar. John Koh Seng Siew and seconded by Ar. Akbal Singh Sandu.

Comments from the members present

1. Datuk Ar Ezumi Harzani Ismail commented that the Berita Akitek needs to continue to be published next Council term, so that PAM could share with members on a monthly basis all the engagements, discussions, issues and activities affecting members and the profession.

2. Ar Dr Tan Loke Mun highlighted an error in the PAM Annual Report on the last page inside cover; the title for the image of the project should be "PAM AWARDS 2022, GOLD, INTERIOR DESIGN CATEGORY, HOUSE NO. 100, DRTAN LM ARCHITECT"

3. Ar John Koh suggested that it is worth highlighting in the PAM Annual Report of other architects' contributions in other societies.

4. Ar Akbal Singh enquired on information of the previous Presidents before 1967. Ar Sarly clarified that the information will be included in a book that PAM is publishing on the 100 years history of PAM and it is expected to be launched during DATUM:KL in July, together with an exhibition.

5. Ar Lillian Tay requested to mention the name of the architect firm of the Women's Aid Organisation Shelter Home, on page 146 of the Annual Report.

3.0 ACCOUNTS - To receive, approve, and adopt the accounts for the preceeding year ending on 31st December 2022

The Honorary Treasurer, Ar. Erdayu Os'hara Omar reported that PAM together with its subsidiaries had a challenging financial year in 2022 from the recovery of the pandemic, with the Group reporting a surplus of RM418,266 as shown in Table 1.0 (of the Annual Report 2022-2023), a significant improvement compared to the previous year.

PAM experienced a deficit of RM541,650 in 2022 and RM211,237 in 2021. The deficits were due to the 50% discount given for membership subscription fees approximately RM600,000 per year for 2022 and 2021. Lower income and higher PAM activities expenses after the Movement Control Order was phased out, have contributed to higher deficit in 2022.

PBSB recorded a net profit of RM1,711,597 for the year 2022, a significant improvement compared to RM760,538 net loss in 2021. Resumption of ARCHIDEX exhibition and surpluses of KLAF2020-2022 reflected in the same financial year 2022 contributed to the improved net profit.

PEF reported a deficit of RM867,153 in 2022. However, the deficit was mainly attributed to depreciation of Fixed Assets (PAM Centre and Chapters' premises) amounting to RM477,791. The deficit is higher compared to the previous year due to higher education activities together with its related expenses, and consultancy fees incurred.

PTPAM incurred a higher loss amounting to RM27,122 in 2022 against a loss of RM20,725 in 2021. The program fee reported in 2022 (RM102,785) is lower compared to 2021 (RM292,734) due to timing differences for 2022 Practical Construction Contract Administration/Management (“PCCA”) program fees. The program started at end of 2022, while the income from remaining 16 sessions will be recognised in year 2023. In comparison with 2021, PCCA income was fully recognised as the program ended within that financial year.

ACSB income derived from Building Inspections and Building Inspection Training Courses contributed a profit of RM42,594 in 2022, which is significantly higher than 2021 with reported profit of RM39,711. The higher income was the result of recovery from the pandemic impacting the industry.

The Honorary Treasurer concluded that overall, PAM as a Group in 2022 reported a surplus, with the financial and cash positions remained strong. PAM to ensure continuation to secure incomes, programs and activities in the future. PAM to also remain prudent in its expenditures for the year 2023.

The AGM received, approved, and adopted the PAM accounts for the year ended 31st December 2022 as proposed by Ar. Dr Tan Loke Mun and seconded by Ar. Zamri Ismail.

Comments from the floor

Past President Ar Dr Tan Loke Mun commented that Council has been practising prudent planning of the Institute’s assets and suggested perhaps it is timely for PAM to look at new assets. He proposed that PAM acquire a space and use that space for contributing back to society.

Immediate Past President Datuk Ar Ezumi Harzani Ismail commented that PAM has the Investment Committee to assist Council in the event Council needs to look into investment matters. The Investment Committee had looked into purchasing the current property for PAM Sarawak Chapter. Datuk Ar Ezumi suggested PAM to invest in properties at Chapters such as PAMNC, PAMSO, PAMSB and PAMEC so that the Chapters could become better service centres and provide better venues for seminars and events, for example, for members in the Chapters.

The Chairman Ar Sarly commented that PAMNC is currently looking into several options for a suitable property and the incoming Council should continue to pursue the matter.

4.0 ELECTION OF OFFICE BEARERS AND COUNCIL MEMBERS FOR 2023 - 2024

The Election Officer, Ar. Michael Ching Chee Hoong, thanked Council for his appointment as the Election Officer, and on behalf of Ar. Almaz Salma Abdul Rahim as the Deputy Election Officer. He added that the three Scrutineers had vetted the results of the elections of Office Bearers and Ordinary Members of Council for 2023-2024 and proceeded to announce the election results as follows:

- 4.1** For the election of President 2023-2024:
Ar. Abu Zarim Abu Bakar received 316 votes;
Ar. Alice Leong Pek Lian received 258 votes;
Ar. Abu Zarim Abu Bakar was declared as the President.
- 4.2** For the election of Deputy President 2023-2024:
Ar. Adrianta Aziz received 364 votes;
Ar. Alvin Lim Hai Seah received 216 votes.
Ar. Adrianta Aziz was declared as the Deputy President.
- 4.3** For the election of Vice President 2023-2024:
Ar. Dexter Koh Yew Peng received 318 votes;
Ar. Thirilogachandran a/l Shanmugasundaram received 253 votes.
Ar. Dexter Koh Yew Peng was declared as the Vice President.

- 4.4 For the election of Honorary Secretary 2023-2024:
Ar. Anthony Lee Tee received 357 votes;
Ar. Ng Chee Hin received 215 votes.
Ar. Anthony Lee Tee was declared as the Honorary Secretary.
- 4.5 For the election of Honorary Treasurer 2022-2023:
Ar. Ahmad Ridha Abd Razak received 357 votes;
Ar. IDr. Dato' Zulkhairi Md Zain received 208 votes.
Ar. Ahmad Ridha Abd Razak was declared as the Honorary Treasurer.
- 4.6 For the election of not more than 13 Ordinary Members of Council 2023-2024, Ar Michael Ching informed that there were initially 19 candidates, and two had withdrawn their candidacy. The remaining 17 candidates received the number of votes as follows:
1. Ar. Chung Pui Gin received 425 votes;
 2. Ar. David Teoh Wui Leng received 407 votes;
 3. Ar. Aimi Ramizah Roslan received 405 votes;
 4. *Ar. Ahmad Ridha Abd Razak received 397 votes (He relinquished the post as Ordinary Member of Council in favour of the post of an Office Bearer);
 5. Ar. Choo Heng Huat received 394 votes;
 6. Ar. Rushdina binti Ismail received 390 votes;
 7. Ar. Esmonde Yap Shiwen received 386 votes;
 8. Ar. Rien Tan Kwon Chong received 385 votes;
 9. *Ar. Anthony Lee Tee received 376 votes (He relinquished the post as Ordinary Member of Council in favour of the post of an Office Bearer);
 10. Ar. Ng Chee Hin received 361 votes;
 11. Ar. Idr Dato' Zulkhairi Md Zain received 360 votes;
 12. Ar. Hazri bin Abdul Aziz received 342 votes;
 13. Ar. Mohd Azli Mohamad Jamil received 341 votes;
 14. Ar. Muhammad Qhawarizmi bin Norhisham received 340 votes;
 15. Ar. Axxu Hoi Jung Wai received 330 votes;
 16. Ar. Ng Chee Twan received 304 votes; and
 17. Ar. Ho Sze Keen received 225 votes.

Ar. Michael Ching then announced the following as the duly elected Office Bearers and Ordinary Members of Council 2023-2024:

President	Ar. Abu Zarim Abu Bakar
Deputy President	Ar. Adrianta Aziz
Vice President	Ar. Dexter Koh Yew Peng
Honorary Secretary	Ar. Anthony Lee Tee
Honorary Treasurer	Ar. Ahmad Ridha Abd Razak
13 Ordinary Members of Council	Ar. Aimi Ramizah Roslan Ar. Choo Heng Huat Ar. Chung Pui Gin Ar. Esmonde Yap Shiwen Ar. Hazri bin Abdul Aziz Ar. Axxu Hoi Jung Wai Ar. Mohd Azli bin Mohamad Jamil Ar. Muhammad Qhawarizmi bin Norhisham Ar. Ng Chee Hin Ar. Rushdina binti Ismail Ar. Rien Tan Kwon Chong Ar. David Teoh Wui Leng Dato' Ar. IDr. Zulkhairi Md Zain

The Election Officer, Ar. Michael Ching, concluded the 2023 PAM Elections and thanked the Deputy Election Officer, Ar. Almaz Salma Abd. Rahim, the Scrutineers, Ar. Sarizal Yusman Yusof, Ar. Mustapha Kamal Zulkarnain and Ar. Joseph Tan Meng Hooi, and PAM Secretariat.

The Chairman Ar. Sarly thanked the Election Officer and Deputy Election Officer for their commitment and contribution to the Institute.

4.7 For information, Chairman Ar. Sarly announced the Chapter Representatives on Council for the term 2023-2024 as follows:

- i) Northern Chapter: Dato' Ar. Loh Chiak Eong
- ii) Southern Chapter: Ar. Ahmad Farik Abd. Ghaffar
- iii) Sarawak Chapter: Ar. Hajjah Noraini Narodden
- iv) Sabah Chapter: Ar. Mok Juang Yu

East Coast Chapter Representative is yet to be announced as the East Coast Chapter AGM will only be held on 30 April 2023.

5.0 ELECTION OF AUDITORS

5.1 To elect an Auditor

The Chairman, Ar Sarly reported that Messrs JB Lau Chartered Accountants has been the appointed auditor since 2015 and PAM Council had agreed to propose to retain and re-appoint them for the next Council term.

The AGM agreed for Messrs JB Lau Chartered Accountants to be re-appointed as the auditor for PAM as proposed by Ar. Dr Tan Loke Mun and seconded by Ar. Choo Heng Huat.

6.0 TO TRANSACT ANY OTHER BUSINESS FOR WHICH DUE NOTICE HAS BEEN GIVEN IN ACCORDANCE TO THE RULES

There were no matters of other business submitted.

7.0 ANY OTHER MATTERS

1. Proposed judicial review on the matter of HRDF levy

Ar David Teoh raised the matter on the HRDF levy that members have expressed their concern. PAM had sought legal advice and posed these questions to the legal adviser: *what legal action PAM can take towards reversing the decision to include Architecture firms in paying HRDF levy; and whether PAM could take legal action similar to has been done by the Bar Council.* This is because architects already have a compulsory CPD system administered by LAM.

The legal opinion PAM received stated that: PAM may look into filing a judicial review for a declaration that the Pembangunan Sumber Manusia Berhad Act 2001, as amended by the Pembangunan Sumber Manusia Berhad (Amendment of First Schedule) Order 2021, is not applicable as architects are governed by the Architects Act 1967. However, the application for judicial review may be out of time as "*an application for judicial review shall be made promptly and in any event within three months from the date when the grounds of application first arose or when the decision is first communicated to the applicant.*" The judicial review application against Pembangunan Sumber Manusia Berhad by the Malaysian Bar has been dismissed by the High Court as it was filed out of time.

PAM's legal adviser further opined that the Board of Architects Malaysia may be the better party to represent the profession as a whole in the judicial review application, if the application is even filed in time or an extension of time can be obtained.

2. Proposed judicial review on the matter of Issues with Local Authority submissions

Ar David Teoh informed the AGM that Council also had sought legal advisory on the types of strategic litigation PAM may take on behalf of its members who are facing issues with Local Authority submissions. Many Local Authorities are imposing arbitrary conditions which may be beyond their ambit of powers and delaying approvals unreasonably across all stages of building permit approvals from Town Planning Submissions (KM/DO), Building Plan Approvals (BP), lodging of the Borang B notice to start construction works, and lodging of CCC.

On the limits of the legal immunity of the local authorities, the legal advice PAM received was that the conditions imposed may be well within the authority of the Local Authorities, which could be enshrined in a Statute/Regulation.

On the options that PAM has to take legal action via strategic litigation as an organisation, the legal adviser advised that to challenge a decision or action of a local authority, one would have to apply for judicial review. Under O.53, r.2 of the Rules of Court 2012, *“Any person who is adversely affected by the decision, action or omission in relation to the exercise of the public duty or function shall be entitled to make the application.”* Therefore, only the individual affected by such decision/action/omission can apply for judicial review, not PAM. The person who initiates the suit will have to fund the legal fees and expenses incurred. Even if the Court awards costs in favour of the litigant, it may not be enough to cover the fees and expenses actually incurred.

3 Comments on the updated Kuala Lumpur Structure Plan 2040 (KLSP2040)

Ar John Koh highlighted that PAM should focus on matters relating to developing the country. He enquired whether PAM participated by providing comments on the updated Kuala Lumpur Structure Plan 2040 (KLSP2040). It will determine the environment in which architects conduct their practice in the future. If PAM and members do not challenge the draft KLSP2040 now, it will form the basis for the next Local Plan. He urged PAM to submit the architects’ and individual concerns. Ar Mustapha Kamal expressed agreement with Ar John Koh and added that he had submitted 200 issues, and PAM had submitted 6 issues. The Chairman Ar Sarly proposed that the incoming Council to pursue this matter.

4 Official PAM Chat Group

Ar Mustapha Kamal raised the matter on various Chat Groups which do not belong to PAM. He suggested that issues faced by members and discussions should only be posted in the PAM official Chat Group. The Chairman Ar Sarly proposed that the incoming Council to pursue the matter.

5 Guidelines on Usage of PAM Logo

Ar Michael Ching raised the matter on the use of PAM logo during election campaigning and expressed surprise that there is no guideline on the specific conditions on the use of PAM logo other than the branding aspect and appearance of the logo. He volunteered to draft the guideline on the conditions of the use of PAM logo. The Chairman Ar Sarly welcomed his effort and thanked him for volunteering to draft the guideline.

6 Appreciation to the President and Council 2022-2023

Ar Dr Tan Loke Mun congratulated the new and incoming President and Council; and thanked the outgoing President and Council. He expressed sadness that he received information about the arguments between a Council member and Council and wished that Council could look into having proper decorum during Council meetings. He added that PAM is a friendly institute and Council members should show professionalism and mutual respect. He expressed regret that PAM is spending on legal advice and representation and opined that PAM should not be spending money on another professional to advise us.

Ar Adrianta Aziz expressed agreement with Ar Dr Tan and suggested that it is timely that perhaps PAM look into the spiritual aspect. He suggested that elected Council members take a vow that he or she is volunteering for the betterment of the profession and society, vow to follow the ethics, code of conduct of PAM, and behave in proper decorum.

8.0 Closing remarks

The Chairman, Ar. Sarly thanked all members for their support while he was the President and congratulated the incoming Office Bearers and Council Members. Ar Sarly invited the newly elected President, Ar Abu Zarim Abu Bakar to address members at the AGM.

Ar Abu Zarim expressed his thanks to members for voting him in as President 2023-2024 and apologised that he could not be present in person in the hall for the AGM. Instead, he is attending

online from USA, as he has to attend a significant occasion of a member of his family. He expressed hope that members will support him and work together to create a conducive environment for architects and improve the profession.

The AGM ended at 12.00 p.m.

Approved by:



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ASSOC PROF (IND) Ar. SARLY ADRE SARKUM
President 2022-2023

Prepared by:



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Ar. DEXTER KOH YEW PENG
Honorary Secretary 2022-2023
