

# **THE INSTITUTION OF ENGINEERS, MALAYSIA**

## **BYLAWS**

### **SECTION 1 Name, Crest, Emblem, Registered Office and Objects**

- 1.1 Abbreviation: The approved abbreviation of the name of The Institution where abbreviation is proper, shall be I.E.M.
- 1.2 The Crest of The Institution shall be as depicted on the cover of the printed copy of the Constitution. The colours of the crest shall be as in the facsimile registered with the Registrar of Societies.
- 1.3 The design, specification, and the guidelines for the use of the emblem of The Institution shall be as prescribed by the Council.
- 1.4 The registered office and place of business of The Institution shall be Lots 60 & 62, Jalan 52/4, 46200 Petaling Jaya. The postal address of The Institution shall be P.O. Box 223, (Jalan Sultan), 46720 Petaling Jaya, Selangor Darul Ehsan, Malaysia.
- 1.5 The objects of The Institution as set out in the Constitution shall include the following:-
  - (a) to hold meetings, exhibitions and visits, and such other activities as The Institution may deem incidental or conducive to the promotion or attainment of the profession of engineering;
  - (b) to raise the character and status and advance the interests of the profession of engineering and those engaged therein;
  - (c) to promote honourable practice, and professional etiquette among members of The Institution;
  - (d) to communicate to members information on all matters affecting the profession of engineering and to print, publish, issue and circulate such publications as may seem conducive to any of the objects of The Institution; and
  - (e) to do such other things as The Institution may think incidental or conducive to the attainment of the objects of The Institution.

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

## **SECTION II      Qualifications for Membership**

### **Fellows:**

- 2.1      Fellows shall comprise all those persons who have been transferred into the grade of Fellow so long as their names are on the Register as such.

Admission to the grade of Fellow shall be by transfer from the grade of Member.

A candidate for transfer into this grade shall be not less than thirty-five (35) years of age and shall produce evidence to the satisfaction of the Council:-

- (a)      that he has had not less than five (5) years' employment in positions of major responsibility in the planning, design, execution or management of important engineering work; or
- (b)      that he has occupied a prominent position in the profession of engineering, and has either made noteworthy contribution to the science of engineering or materially advanced the practice of engineering.

### **Senior Members:**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- 2.2      Senior Members shall comprise all those persons who have been transferred into the grade of Senior Member so long as their names are on the Register as such.

Admission to the grade of Senior Member shall be by transfer from the grade of Member.

A candidate for transfer into this grade shall produce evidence to the satisfaction of the Council :-

- (a)      that he has been a Member of The Institution for more than ten (10) years, or
- (b)      that he has had not less than fifteen (15) years' working experience as an engineer and has been a Member of The Institution for not less than three (3) years.

**Members:**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 2.3 Members shall comprise all those persons who have been elected into the grade of Member so long as their names are on the Register as such.

A candidate for election into this grade shall produce evidence to the satisfaction of the Council that he is worthy of election, and

- (a) That he has a graduate qualification as approved by the Council; and
- (b) That he has attained the approved required years of practical experience in engineering, after obtaining the above graduate qualification in a manner satisfactory to the Council, in the planning, design, execution or management of such works as are comprised within the profession of engineering, or in engineering research, or the teaching of engineering in a course leading to a qualification approved by the Council.

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

**Senior Graduate Members:**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- 2.4 Senior Graduate Members shall comprise all those persons who have been admitted or transferred into the grade of Senior Graduate Member so long as their names are on the Register as such.

A candidate for admission or transferred into this grade shall produce evidence to the satisfaction of the Council :-

- (a) that he has graduated with an accredited engineering degree or has obtained an equivalent qualification approved by the Council, and
- (b) that he has not less than eight (8) years experience or exposure in the field of engineering and holding a senior position; and
- (c) he is required to submit his curriculum vitae/biodata and report in working experience or exposure to engineering.

**Graduate Members:**

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

- 2.5 Graduate Members shall comprise all those persons who have been admitted or transferred into the grade of Graduate Member so long as their names are on the Register as such.

A candidate for admission or transfer into this grade shall be not less than eighteen (18) years of age and shall produce evidence to the satisfaction of the Council that he has graduated with an accredited engineering degree or has obtained an equivalent qualification approved by the Council.

**Engineering Technologist Members:**

2.5A Engineering Technologist Members shall comprise all those persons who have been elected into the grade of Engineering Technologist Member so long as their names are on the Register as such.

A candidate for election into this grade shall produce evidence to the satisfaction of the Council that he is worthy of election, and

- (a) That he has a graduate qualification as approved by the Council; and
- (c) That he has attained the approved required years of practical experience in engineering technology, after obtaining the graduate qualification in a manner satisfactory to the Council, in the execution or management, operation and maintenance of such works as are comprised within the profession of engineering technology, or the teaching of engineering technology in a course leading to a qualification approved by the Council.

**Engineering Technologist Graduate Members:**

2.5B Engineering Technologist Graduate Members shall comprise all those persons who have been admitted or transferred into the grade of Engineering Technologist Graduate Member so long as their names are on the Register as such.

A candidate for admission or transfer into this grade shall be not less than eighteen (18) years of age and shall produce evidence to the satisfaction of the Council that he has graduated with an accredited engineering technology degree or has obtained an equivalent qualification approved by the Council.

**Engineering Technician Members:**

2.5C Engineering Technician Members shall comprise all those persons who have been elected into the grade of Engineering Technician Member so long as their names are on the Register as such.

A candidate for election into this grade shall produce evidence to the satisfaction of the Council that he is worthy of election, and

- (a) That he has an academic qualification as approved by the Council; and
- (b) That he has attained the approved required years of practical experience in engineering, after obtaining the academic qualification in a manner satisfactory to the Council, in the operation and maintenance of such works as are comprised within the engineering, or the teaching of engineering in a course leading to a qualification approved by the Council.

**Engineering Technician Graduate Members:**

2.5D Engineering Technician Graduate Members shall comprise all those persons who have been admitted or transferred into the grade of Engineering Technician Graduate Member so long as their names are on the Register as such.

A candidate for admission or transfer into this grade shall be not less than eighteen (18) years of age and shall produce evidence to the satisfaction of the Council that he has graduated with an accredited Diploma or Certificate in engineering from a polytechnic/college/institution or has obtained an equivalent qualification approved by the Council.

**Incorporated Members:**

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

2.6 Incorporated Members shall comprise all those persons who have been admitted into the grade of Incorporated Member so long as their names are on the Register as such.

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

A candidate for admission or transfer into this grade shall produce evidence to the satisfaction of the Council that he is a graduate with an engineering degree which is not on The Institution's Accredited List or that he has undertaken a graduate engineering course but has not yet qualified for admission or transfer as a Graduate Member.

**Affiliate Members:**

Amendment  
PPM51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

2.7 Affiliate Members shall comprise all those persons who have been admitted into the grade of Affiliate Member so long as their names are on the Register as such.

A candidate for admission into this grade shall produce evidence to the satisfaction of the Council:-

- (a) That he is connected with the engineering profession; and
- (b) (i) That he is a graduate in the applied sciences from a university/ college of recognised standing and has been in active practice in his special field for not less than five (5) years;

or

- (ii) That he has been in active practice in his special field for not less than ten (10) years during which he has held a responsible position for not less than three (3) years.

**Associate Members:**

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

- 2.8 Associate Members shall comprise all those persons who have been admitted into the grade of Associate Member so long as their names are on the Register as such.

A candidate for admission to this grade shall produce evidence to the satisfaction of the Council that he has obtained a recognised diploma or certificate in engineering from a polytechnic/college/institutions, or has obtained an equivalent qualification approved by the Council.

**Student Members:**

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

- 2.9 Student Members shall comprise all those persons who have been admitted into the grade of Student Member so long as their names are on the Register as such.

A candidate for admission into this grade shall produce evidence to the satisfaction of the Council:-

- (a) That he is pursuing a course leading to the award of an engineering degree or engineering technology degree or a diploma or a certificate in engineering or equivalent; or

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

- (b) That he has enrolled for The Institution's Graduate Examinations or the Examination of an overseas professional institution recognised by the Council.

Amendment  
PPP SEL3/59(3)  
dtd 27 Oct. 2009

A Student Member, who obtains a qualification which entitles him to the membership in any other grade, shall be required to transfer to such grade within twelve (12) months of obtaining such qualification, and pay the appropriate fees.

Amendment  
PPP SEL3/59(3)  
dtd 27 Oct. 2009

### SECTION IIIA Admission, Election and Transfer

#### Applications:

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

- 3.1 Admission and election to membership of The Institution and transfers in grades of membership therein be effected through voluntary application from persons qualified under the Constitution for such membership.

A candidate has the option to submit the application online.

#### Distinguished Honorary Fellows, Honorary Fellows, Distinguished Members and Honorary Members:

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- 3.2 (i) Distinguished Honorary Fellows shall be elected at a meeting of the Council at which not less than eighty percent (80%) of the total Council members shall be present during voting and two-thirds ( $\frac{2}{3}$ ) shall vote in favour. Fellows of The Institution shall be eligible for election as Distinguished Honorary Fellows.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- (ii) Honorary Fellows and Distinguished Members shall be elected at a meeting of the Council at which not less than two-thirds ( $\frac{2}{3}$ ) of the total Council members shall be present during voting with a simple majority voting in favour. Fellows of The Institution shall be eligible for election as Honorary Fellows. Members of The Institution shall be eligible for election as Distinguished Members.

- (iii) Honorary Members shall be elected at a meeting of the Council with a simple majority.

#### Fellows and Senior Members:

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- 3.3 Every proposal for transfer of a Member to the grade of Fellow shall be according to such form as the Council may prescribe. This proposal form, having been subscribed by not less than six (6) Corporate Members of whom at least two (2) shall be Fellows, and delivered, duly completed, to the Honorary Secretary, shall be submitted to the Council, who, subject to conditions hereinbefore set forth, may, if they think fit, approve the proposed transfer.

Every proposal for transfer of a Member to the grade of Senior Member shall be according to such form as the Council may prescribe. The proposal form shall be signed by not less than two (2) Corporate Members of whom at least one (1) shall be a Fellow of The Institution or a Member of not less than ten (10) years' standing in The Institution. The proposer and seconder shall certify from personal knowledge of the candidate that he is a fit and proper person for consideration by the Council for the relevant class of membership of The Institution.

Amendment  
PPM 51/59  
SEL3/59(22)  
dtd 20 Nov. 2002

**Members and Affiliate Members:**

3.4 Any person desirous of being elected a Member or admitted as an Affiliate Member shall be proposed and seconded according to such rules as the Council may prescribe. The proposal form shall be signed by not less than two (2) Corporate Members of whom at least one (1) shall be a Fellow of The Institution or a Member of not less than ten (10) years' standing in The Institution. The proposer and seconder shall certify from personal knowledge of the candidate that he is a fit and proper person for consideration by the Council for the relevant class of membership of The Institution.

Amendment  
PPP SEL3/59 (32)  
dtd 14 Sept. 2006

**Engineering Technologist Members**

3.4A Any person desirous of being elected an Engineering Technologist Member shall be proposed and seconded according to such rules as the Council may prescribe. The proposal form shall be signed by a Fellow of the Institution and a Corporate Member or an Engineering Technologist Member. The proposer and seconder shall certify from personal knowledge of the candidate that he is a fit and proper person for consideration by the Council for the relevant class of membership of the Institution.

**Graduate Members, Engineering Technologist Graduate Members and Student Members:**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

3.5 A candidate for admission to the grade of Graduate Member or Engineering Technologist Graduate Member or for transfer from Student Member to Graduate Member or Engineering Technologist Graduate Member shall have his application form and details duly completed and may submit online.

Amendment  
PPP SEL3/59(20)  
dtd 9 Feb. 2006

A candidate for admission to the grade of Graduate Member or Engineering Technologist Graduate Member shall have his application form signed by a Corporate Member.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

A candidate for admission to the grade of Student Member shall have his application form, details duly completed and accompanied with relevant document certified by a Corporate Member or by a Head of Department of a teaching institution who shall certify that the candidate is receiving or has received the required engineering education and training, and these form and document may then be submitted on-line.

A person who is eligible for admission to a higher grade of membership in The Institution shall not be admitted to the grade of Student Member.



## Senior Graduate Members and Incorporated Members

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 3.6 Any person desirous of being admitted or transferred to the grade as a Senior Graduate Member shall be proposed and seconded according to such rules as the Council may prescribe. The proposal form shall be signed by not less than two (2) Corporate Members of whom at least one (1) shall be a Fellow of The Institution or a Member of not less than ten (10) years' standing in The Institution.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

Any person desirous of being admitted or transferred to the grade as an Incorporated Member shall be proposed and seconded according to such rules as the Council may prescribe. The proposal form shall be signed by not less than two (2) Corporate Members of whom at least one (1) shall be a Fellow of The Institution or a Member of not less than ten (10) years' standing in The Institution.

## Associate Members, Engineering Technician Graduate Members and Engineering Technician Members:

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 3.7 A candidate for admission to the grade of Associate Member, Engineering Technician Member or Engineering Technician Graduate Member shall have his application form signed by a Corporate Member.

## Procedure

- 3.8 The name of each candidate appearing to the Council to be eligible for election shall be published in the Bulletin of The Institution with an invitation to any member wishing to do so to record his objection giving his reasons in writing. If an objection is received such objection shall be reviewed and determined by the Council. If no objection to such election is received within one (1) month of the date of publication, the Executive Committee shall proceed to consider the application on behalf of the Council.
- 3.9 An admission, election or transfer is deemed to have been approved subject to the confirmation of the Council, when it receives the unanimous votes of the Executive Committee but any member of the Executive Committee may require the election or transfer to be postponed until the application has been considered at a meeting of the Council.

Amendment  
PPP SEL3/59(3)  
dtd 27 Oct.2009

This however does not apply to Honorary Grades of membership.

- 3.10 Every person duly admitted, elected, or transfers from one grade to another, shall be informed in writing by the Honorary Secretary. He shall pay the entrance/transfer fee and annual subscription for the current year (or the increase thereof in case of transfer) within two (2) months from the date of his admission, election or transfer which otherwise shall become void; the Council may in particular cases extend this period.
- 3.11 Notwithstanding the provisions in Section 3.3 and 3.4, the Council may waive, under special circumstances, the requirements contained therein with regard to the number and grade of supporters for election or transfer.
- 3.12 All admission, elections or transfer shall be made by the Council in accordance with such procedure as may be laid down by the Council from time to time.

**Certificate of Membership:**

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

- 3.13 Every member who has been elected or transferred and has made the proper payment shall receive the Certificate of his election or transfer. At the first Ordinary Meeting at which he is present, after having fulfilled the foregoing requirements he shall, if he so desires, be introduced to the meeting by the President or Chairman.

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

- 3.14 The Certificate shall remain the property of The Institution and in the event of the holder ceasing to be a member other than by death, shall on request be returned to The Institution. The Council may however, upon request, permit a member of advanced age retiring from active involvement in engineering to retain his Certificate.

Amendment  
PPP SEL3/59 (32)  
dtd 14 Sept. 2006

**SECTION IIIB Separation from Membership and Disciplinary Proceedings Expulsions - Disciplinary Proceedings**

- 3.15 A member may be expelled or subjected to other disciplinary action for such acts as violation of any of the provisions of the Constitution, Bylaws and Regulations of The Institution, or for conduct which in the opinion of the Council is improper and prejudicial to the best interests of The Institution.

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

- 3.16 It shall be a condition of the admission, election or transfer of every member, that his application contains no untrue or misleading statement relating to himself; and the admission, election or transfer of any such person may be set aside by a Resolution of the Council expressing the belief that the particulars given in his application were in some respect untrue or misleading and declaring such admission, election or transfer to be annulled. The person concerned shall be notified of the intention to propose any such Resolution and to show cause why his name should not be deleted from the Register.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

- 3.17 The Council shall consider proceedings looking towards the instituting of disciplinary action or expulsion of any member upon the recommendations of the Ad hoc Hearing Committee on Professional Conduct as provided for in Section IX of the Bylaws. The final decision of the Council shall be by ballot at a meeting of the Council except that a decision to expel the member shall require the affirmative votes of no less than eighty percent (80%) of the entire Council voting by postal ballot.

In the case of expulsion, the Council shall notify the expellee and shall delete his name forthwith from the Register of The Institution.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

- 3.18 After a consideration of the report and recommendations of the Ad hoc Hearing Committee on Professional Conduct, the Council may decide that the charges against a member of The Institution are not sufficient to justify expulsion. In such case, if the charges be sustained or proven, the Council may take such other disciplinary action as may be deemed appropriate. The Council at its discretion may notify the membership of any expulsion, suspension or other disciplinary action.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

- 3.19 A finding that the charges against a member have been sustained or proven shall require the affirmative vote of a majority of the entire Council. If the affirmative vote is less than two-thirds ( $\frac{2}{3}$ ) of the entire Council member present, disciplinary action shall be restricted to a letter of reprimand or admonition. Affirmative votes of not less than eighty (80%) per cent of the entire Council shall be required for expulsion.

- 3.20 No person who has been expelled from membership, and no member who has been suspended, (during the period of his suspension) shall be allowed any of the rights or privileges of membership in The Institution. Service on The Institution's Committees at all levels shall be denied to a person expelled or suspended from The Institution during the period of his suspension.

**De-registration or Suspension of Members for wrongful admission/  
election/transfer:**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 3.21 At any time and from time to time if it shall come to the notice or knowledge of The Institution that the qualifications of any member is not one that is recognised by The Institution or on The Institution's list of accredited degrees/qualifications or that the said member has in some manner been wrongly admitted or elected to The Institution or wrongly transferred to a grade of membership to which he is not entitled either due to non compliance with the admission, election or transfer criteria or in any other manner , then in any such case the Council may at its sole discretion.
- (a) de-register the member so that he is no longer a member of The Institution from the date of de-registration; or
  - (b) suspend the membership of the member until the requisite qualification has been obtained; or
  - (c) transfer the member to the correct grade of membership.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 3.22 Any member de-registered or suspended or transferred pursuant to Section 3.21 of the Bylaws may upon obtaining the requisite qualification, re-apply for admission or election into The Institution or transfer to a higher grade of membership, as the case may be.

**Expulsions for Non payment of Subscriptions:**

- 3.23 A member of The Institution, in arrears of his subscription shall forfeit his connection therewith as provided in Section IV of the Bylaws.

**Resignations:**

- 3.24 Any member of The Institution in good standing may resign his membership, as provided in Article 3.3 of the Constitution. Any member whose subscriptions are not in arrears and against whom no complaint or charge is pending shall be considered in good standing.

**Reinstatements:**

Amendment  
RSM 51/59  
Jan 1981

Amendment  
PPP SEL3/59(29)  
dtd 14 Sept. 2006

Amendment  
PPP SEL3/59(3)  
dtd 27 Oct. 2009

- 3.25 A former member of The Institution whose name is deleted from the Register because of non-payment of subscriptions may be reinstated through submission of a formal application for reinstatement and upon payment of the current year's subscription, together with full subscriptions for the immediate past one (1) year and the processing fee for reinstatement as determined by the Council. A former member must be reinstated as a member of The Institution and in good standing before he can be considered for transfer to another grade. A member (except Student Member) deleted from the Register cannot be considered as new applicant into any grade without prior settling all the outstanding dues.
- 3.26 A former member of The Institution separated because of resignation may re-apply for re-admission, and the fees for such re-admission shall be determined by the Council with regard to the circumstances of his resignation.
- 3.27 Former members of The Institution separated by expulsion proceedings following charges of alleged unethical conduct shall not be reinstated to membership except by special action of the Council. The affirmative vote of not less than eighty per cent (80%) of the entire Council shall be required to effect such reinstatement. Where reinstatement is approved by the Council, the member concerned shall be required to pay his current year's subscription together with all the arrears due from him as if there had been no lapse of his membership.

**SECTION IIIC Examinations**

- 3.28 The Council may conduct examinations or approve in whole or in part particular university degrees and other academic qualifications as demonstrating a sufficient standard of education and may grant such exemption from The Institution Examinations as it thinks fit.
- 3.29 The Council may cause to be held examinations including the examination of theses for candidate for election or transfer.
- 3.30 The Council may make Examination Regulations governing the times and places at which examinations shall be held, the subjects which they shall comprise, the fees to be paid and the conditions under which candidates may be admitted thereto. Such Regulations shall also govern the preparation and submission of theses.

- 3.31 The Council may permit a person who is not a candidate for admission, election or transfer to present himself for examination and if he passes such examination the Council may exempt him wholly or partly from further examination if he subsequently applies for admission, election or transfer.
- 3.32 The Council may make Training Regulations governing the scope and type of practical training and experience to be obtained by a candidate for election or transfer.
- 3.33 The Council may direct a candidate for election or transfer to be interviewed on its behalf in order that it may be satisfied that the candidate has acquired during his practical training and experience adequate knowledge of the practice of the appropriate division of engineering.
- 3.34 The Council may make Professional Interview Regulations governing the conduct of Professional Interview, the time and place at which they shall take place and the fees to be paid by candidates. The Council may appoint such qualified persons as it thinks fit to interview each candidate.
- 3.35 The Council may permit a person, who is at the time a candidate for election or transfer, to present himself for interview and if he is successful in such interview the Council may exempt him from further interview if he subsequently applies for election or transfer.

#### **SECTION IV Fees and Annual Subscriptions**

##### **Payment of Annual Subscription**

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- 4.1 Annual subscription shall be payable in advance on 1st January of each year. A person who is admitted, elected or transferred to membership of The Institution between 1st July and 30th September in any year shall pay only half the annual subscription.
- 4.2 The first annual subscription of all members admitted, elected or transferred between the 1st October and 31st December in any year, or the increase thereof in the case of transfer during this period, shall be in respect of the year commencing on the first day of January next ensuing.

- 4.3 Every member shall be liable for the payment of the relevant annual subscription due until he has signified to the Honorary Secretary in writing his desire to resign, having previously paid all arrears, including the subscription for the year current as at the date of his notice, or until he has forfeited his right to remain in, or be attached to The Institution.
- 4.4 Every member on admission, election or transfer as the case may be shall pay the full subscription for the current year in his new grade, except as provided for in Section 4.3 above. Any subscription already paid for that year shall be taken as part payment of the new grade subscription dues.
- 4.5 Any member who has reached the age of sixty-five (65) years on 1st January and who has paid his annual subscription for a period of not less than twenty-five (25) years preceding shall be exempted from payment of further subscription.

#### **Arrears and Penalties**

- 4.6 Any member whose subscription is more than three (3) months in arrears shall be so notified by the Honorary Secretary. A member whose subscription becomes four (4) months in arrears shall lose all privileges, the right to vote and to receive publications normally furnished without special charge to members in good standing. All privileges will be suspended if annual subscription not settled by 1 April of each year.
- 4.7 The Honorary Secretary shall mail a final notice by registered post to the last known address of any member whose subscription becomes nine (9) months in arrears. The name of any member whose subscription becomes twelve (12) months in arrears shall be reported to the Council who shall have the power to expel the defaulter from The Institution by deleting his name from the Register, provided, however, that the Council for cause deemed by it to be sufficient, may extend the time for payment of arrears of subscriptions and for the application of these penalties.
- 4.8 In the case of any member, whose earning capacity has been adversely affected by ill-health, or other causes, the Council may, at their discretion, exempt such individual from the payment of the annual subscription or the arrears of annual subscription that may be due.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- 4.9 Any alteration in the residence, place of business, employment or postal address of any member shall be notified by him to the Honorary Secretary and the amount of the annual subscription due from him shall be varied if necessary, in accordance with the guidelines laid down by the Council.

## **SECTION V Composition, Nomination and Election of Council**

Amendment  
RSM 51/59 Jld 3(34)  
dtd 22 Feb. 1994

- 5.1 The Members of the Council shall comprise:-

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- (a) The President
- (b) The Deputy President
- (c) The Immediate Past President
- (d) All Past Presidents who are invited by the Council and have expressed willingness to serve on the Council
- (e) Seven (7) Vice Presidents
- (f) The Honorary Secretary
- (g) The Honorary Treasurer
- (h) Thirty-three (33) Ordinary Council Members
- (i) One (1) Representative from each Branch of The Institution
- (j) Not more than three (3) Corporate Members appointed by the Council on the nomination of the President for a term of one (1) session. An appointed Member may be re-appointed but shall not serve in this capacity for more than two (2) consecutive sessions.
- (k) Five (5) Senior Graduate Members or Graduate Members, as prescribed in Section 5.8 (b) of the Bylaws,
- (l) One (1) woman Member as prescribed in Section 5.8 (a) of the Bylaws.
- (m) One (1) Engineering Technologist Member, as prescribed in Section 5.8(c) of the Bylaws.
- (n) One (1) Engineering Technician Member, as prescribed in Section 5.8(d) of the Bylaws.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

### **President**

- 5.2 The Deputy President, being the President-elect shall assume the office of President at the Annual General Meeting marking the completion of his term in the office of Deputy President, subject to provision in Section 5.4 of the Bylaws.

### **Nomination of Deputy President**

- 5.3 The Deputy President shall be elected from amongst Corporate Members who have served or are serving in Council as Vice Presidents. The Council shall at an appropriate date in the Session elect the Deputy President for the next Session.



## Vice President

Amendment  
RSM 51/59 Jld 3(34)  
dtd 22 Feb. 1994

- 5.4 The Vice Presidents shall be elected only from amongst Corporate Members who have served in Council for not less than one (1) session and who have been transferred to the grade of Fellow. They shall be elected for a term of office of two (2) sessions.

## Honorary Secretary and Honorary Treasurer

- 5.5 The Honorary Secretary and the Honorary Treasurer shall be elected annually subject to Article 5.2 of the Constitution.

## Council Members

- 5.6 At least one (1) Council Member shall be elected from each division or group of divisions of engineering as approved by the Council. The remaining Council Members shall be elected from amongst Corporate Members without regard to the divisions to which they belong.

- 5.7 The Council Members shall normally hold office for a term of three (3) sessions. At the end of each session, one-third ( $\frac{1}{3}$ ) of the elected Council Members, as determined by the Council, shall retire. They shall not be eligible for re-election.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- 5.8 (a) Women Engineers Representative  
The Chairperson of the Women Engineers Section under Section VIIIIC of the Bylaws shall be appointed to the Council

(b) Graduate and Senior Graduate Member Representatives  
The Chairman and Secretary plus another three elected members of the Graduate and Student Section committee under Section VIIIIC of the Bylaws shall be appointed to the Council.

(c) Engineering Technologist Representative  
The Chairman of the Engineering Technologist Section committee under Section VIIIIC of the Bylaws shall be appointed to the Council.

(d) Engineering Technician Representative  
The Chairman of the Engineering Technician Section committee under Section VIIIIC of the Bylaws shall be appointed to the Council.

### **Branch Representative**

- 5.9 The Chairman of each Branch of The Institution shall be a Member of the Council subject to the Rules of the Branch.

### **Election Procedure**

Amendment  
RSM 51/59 Jld3(34)  
dtd.22 Feb. 1994

- 5.10 The procedure for the conduct of the election and the decision to either conduct the election process using electronic form or by post or both would be at the sole decision of Council and subject to the readiness of the election for electronic voting. Upon the decision of the Council the Election procedure as decided would be followed.

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

### **Postal Election**

Amendment  
PPM SEL 51/59  
SEL3/59(19)  
dtd 18 Mar. 2013

- 5.11 Not less than six (6) weeks before the date of the Annual General Meeting, nominations for such vacancies as may arise in the Council for the ensuing session shall be invited from Corporate Members. Three (3) Corporate Members may propose and second any other Corporate Member for inclusion in the voting paper by sending, by a date to be fixed by the Council, such nomination in writing to the Hon. Secretary, together with the written consent of the person so nominated. If there are insufficient nominations for any office, the Council shall nominate sufficient names to fill the vacancies.
- 5.12 The voting paper shall, not less than twenty eight (28) clear days before the date of the Annual General Meeting, be sent by post to all Corporate Members residing in Malaysia and to any other Corporate Members who may, in writing, request to have the paper forwarded to him. The voting paper shall be returned to the Honorary Secretary in a sealed envelope so as to reach him by a specified date not less than seven (7) days before the Annual General Meeting.

Amendment  
RSM 51/59 Jld 3(34)  
dtd.22 Feb. 1994

- 5.13 At a Council meeting of The Institution preceding the Annual General Meeting, the Council shall choose three (3) or more Corporate Members as Scrutineers for the purpose of the ballot. The Scrutineers shall open the envelopes received by the Honorary Secretary by the date indicated and shall count the votes and report the results to the Election Officer who shall be responsible to report the results to the President and to the Annual General Meeting. The Scrutineers shall reject any voting paper on which a Corporate Member has voted for a number more than that prescribed on the voting paper.

5.14 The ballot papers after examination by the Election Officer and the Scrutineers shall be placed in a packet which shall be sealed and delivered by the Election Officer to the Honorary Secretary, who shall retain the papers until six (6) months have elapsed after the Annual General Meeting and shall then cause them to be destroyed.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

5.15 Upon completion of the counting of votes, should there be an equality of votes between two candidates where there is only one post to be filled, the determination of the successful candidate would be carried out by drawing of lots by the Election Officer in the presence of the Scrutineers.

### **Electronic and Postal Election**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

5.16 Not less than six (6) weeks before the date of the Annual General Meeting, nominations for such vacancies as may arise in the Council for the ensuing session shall be invited from Corporate Members. Any three (3) Corporate Members may nominate any other Corporate Member for inclusion in the voting paper by sending, by a date to be fixed by the Council, such nomination in writing or electronic form (IEM Election Online System), to the Hon. Secretary, together with the written consent (in hardcopy or electronic form) of the person so nominated. In addition, the Council may nominate one or more eligible names for any particular office for the purpose of ballot.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

5.17 The voting paper (in hardcopy or electronic form) shall, not less than twenty eight (28) clear days before the date of the Annual General Meeting, be sent by post or in electronic mail or message to all Corporate Members. The voting paper (in hardcopy or electronic form) shall be returned or submitted online and in turn notified to the Honorary Secretary in a sealed envelope or electronically encrypted format so as to reach him by a specified date not less than seven (7) days before the Annual General Meeting.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

5.18 At a Council meeting of The Institution preceding the Annual General Meeting, the Council shall appoint three (3) or more Corporate Members as Scrutineers for the purpose of the ballot. The Scrutineers shall open the envelopes received by the Honorary Secretary by the date indicated and shall count the votes and report the results to the Election Officer who shall be responsible to report the results to the President and to the Annual General Meeting. All the electronic votes must be electronically decrypted by the Election Officer with the encryption key solely under his possession throughout the process. The Scrutineers shall reject any voting paper (in hardcopy or electronic form) on which a Corporate Member has voted for not in compliance with the instructions as prescribed on the voting paper (in hardcopy or electronic form). IEM Election online system shall normally check and prohibit a Corporate Member from voting more than once or for a number more than that prescribed in the electronic vote paper.

*Bylaws*

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

5.19 The ballot papers or electronic vote records after examination by the Election Officer and the Scrutineers shall be placed in a packet or IEM electronic archive which shall be sealed or encrypted and delivered by the Election Officer to the Honorary Secretary, who shall retain the papers or electronic records until six months have elapsed after the Annual General Meeting and shall then cause them to be destroyed or deleted.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

5.20 Upon completion of the counting of votes, should there be an equality of votes between two candidates where there is only one post to be filled, the determination of the successful candidate would be carried out by drawing of lots by the Election Officer in the presence of the Scrutineers.

**SECTION VIA Management**

**Duties of the Council**

6.1 The Council shall manage the property and affairs of The Institution in accordance with the provisions of the Constitution and the Bylaws. It shall direct investment and care of the funds of The Institution; purchase any property movable or immovable and to take, accept and hold such property which may become vested in it by virtue of such purchase, or by any exchange, grant, donation, lease, testamentary disposition or otherwise; sell, mortgage, lease, exchange or otherwise dispose of any such property; make appropriations for specific purposes; act upon applications for membership or transfer; take measures to advance the objects and interests of The Institution.

Amendment  
PPP SEL0003/59(29)  
dtd 9 Feb. 2006

If an Officer of The Institution is not able, or neglects to perform his duties, the Council shall have the power to declare the office vacant. An Officer, whose office has been so declared vacant, shall not thereafter be eligible to hold any office in The Institution for at least two (2) sessions. Neglect to perform his duties will include absence without reasonable cause, at three (3) consecutive meetings of the Council, Executive Committee of the Council or Standing Committees as applicable.

6.2 The Council shall be responsible for the proper conduct of all elections and for this purpose shall make regulations as are necessary.

6.3 The fiscal year of The Institution shall be from January 1st to December 31st. An annual budget of estimated incomes and expenditures shall be adopted by the Council at its first meeting after January 1st of each year.

- 6.4 The Council shall table an Annual Report at the Annual General Meeting. The Annual Report shall include the reports of the Honorary Secretary for the preceding session and of the Honorary Treasurer for the preceding fiscal year, and such other information as may be deemed by the Council to be appropriate.

#### **Duties of the President**

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

- 6.5 The President, as the Chief Executive Officer of The Institution, shall have general supervision over the affairs of The Institution. He shall preside at the Annual General Meeting and Special General Meetings of The Institution, meetings of the Council and of the Executive Committee. He shall be an ex-officio member of all Standing Committees of The Institution.

#### **Duties of the Deputy President**

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

- 6.6 The Deputy President shall act for the President in his absence. He shall succeed the President in the event of the latter's office falling vacant.

#### **Duties of the Honorary Secretary**

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

- 6.7 Under the direction of the President, the Honorary Secretary shall be responsible for carrying out the decisions of the Council of The Institution . He shall serve as the Secretary of the Council. He shall attend the Annual General Meeting and Special General Meetings of The Institution and meetings of the Council and Executive Committee and cause to be prepared agenda therefor, and record the proceedings thereat.

- 6.8 He shall prepare the Annual Report of The Institution on activities of the Institution in consultation with the different Standing Committees, and circulate it to all members of The Institution.

Amendment  
RSM 51/59 Bhg. II  
(26) dtd. 12 Jan. 1993

- 6.9 He shall supervise the work of all employees of The Institution and shall ensure that all records of The Institution including the Register are updated and maintained.

In the absence of the Honorary Secretary, the Executive Committee shall appoint an Acting Honorary Secretary from among current serving Council members to perform the duties of the Honorary Secretary.

### Duties of the Honorary Treasurer

- Amendment  
RSM 51/59 Bhg. II  
(26) dtd. 12 Jan. 1993
- 6.10 Under the direction of the President and Deputy President, the Honorary Treasurer shall be responsible for all financial affairs of The Institution. He shall ensure that all monies due to The Institution are duly collected and that appropriate bank accounts are properly maintained.
- Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006
- 6.11 He shall have charge of the books of account of The Institution and shall exercise all customary managerial functions with regard to the financial transactions of The Institution. He shall also prepare a Statement of Account and Financial Report at the end of the session for the period from 1st January to the date of the Annual General Meeting.
- Amendment  
RSM 51/59  
Jan. 1989
- 6.12 He shall, in conjunction with the Honorary Secretary, or Deputy President or the President sign all cheques drawn on the General and Trust funds of The Institution, and all documents relating to transactions of securities. In his absence, or his inability to sign, the Executive Committee may delegate this power to a member of the Council.
- Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006
- 6.13 On the recommendation of the Standing Committee on Finance or that of the Trustees of The Institution, the Honorary Treasurer shall invest on Securities, funds not needed for current disbursements; purchase any property, movable or immovable, sell, mortgage, lease, and exchange or otherwise dispose of any such property.
- Amendment  
RSM 51/59 Bhg. II  
(26) dtd. 12 Jan. 1993
- 6.14 He shall present annually to the Council a Balance Sheet of The Institution's account, as of 31st December, and shall furnish from time to time such other financial statements as may be required of him. Such financial statement of account as of 31st December shall be circulated to all members before the Annual General Meeting.
- Amendment  
RSM 51/59 Bhg. II  
(26) dtd. 12 Jan. 1993
- 6.15 The Honorary Treasurer shall formulate for the approval of the Council, regulations governing procedure in connection with all financial matters for which the Committees are held responsible under these Bylaws, including inter alia the compilation of a record of the subscriptions and fees payable, of accounts, and the preparation of periodical returns and annual audited statements.
- Amendment  
RSM 51/59 Bhg. II  
(26) dtd. 12 Jan. 1993
- In the absence of the Honorary Treasurer, the Executive Committee shall appoint an Acting Honorary Treasurer to perform the duties of the Honorary Treasurer.

## **SECTION VIB Committees**

### **Creation & Classification**

- 6.16 Except as otherwise specially provided, the Council shall appoint the members, designate the Chairman, and outline the terms of reference and duties of all Committees. The Chairman of such Committees shall report directly to the Council and shall perform their duties under the direction of the Council.
- 6.17 The Council may delegate its power of appointment in whole or in part to the President, or the Executive Committee with an obligation to report back for the record.
- 6.18 Except as provided in the Constitution, the Council may at its discretion dissolve any Committee and may appoint any other Committee from time to time from its own membership or otherwise.

### **The Executive Committee**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 6.19 The Executive Committee, authorised under Article 6.10 of the Constitution shall comprise the President, the Deputy President, the seven (7) Vice Presidents, the Hon. Secretary, the Hon. Treasurer and not more than eight (8) other Members of the Council.
- 6.20 The Executive Committee shall have immediate supervision of all affairs of The Institution and shall advise the Council on all matters.
- 6.21 Where in any session, the Budget for that session has not been approved by the Council, the Executive Committee shall have that power to authorise payments of a routine nature.
- 6.22 Between meetings of the Council, the Executive Committee shall exercise the full powers of the Council in matters which in the judgement of the Executive Committee must be acted upon before the next regular meeting of the Council subject to the provisions of Article 6.10 of the Constitution and all actions taken by the Executive Committee shall be in accordance with the general policies of the Council and shall be reported to Council at its next meeting.
- 6.23 At any meeting of the Executive Committee not less than half ( $\frac{1}{2}$ ) of the members shall constitute a quorum.

## Standing Committee and other Committees

Amendment  
RSM 51/59 Jld 3(34)  
dtd.22 Feb. 1994

6.24 The Council shall at the first meeting of the session appoint the members of the Executive Committee and the Chairman and Vice Chairman of the Standing Committees on :-

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- i. Finance
- ii. Admissions and Practical Training
- iii. Examinations and Qualifications
- iv. Professional Practice
- v. Information and Publications
- vi. Activities
- vii. Welfare and Service Matters
- viii. Corporate Affairs

The Council may at any time appoint such other Committees as it deems necessary or fill any vacancy that may arise therein in accordance with the Bylaws. A casual vacancy in the Chairman and Vice-Chairman of the Standing Committees or other Committees of the Council shall be filled by a new Council member for the un-expired portion of the term of office of the person whom he replaces.

6.25 Each Committee shall perform its duties in accordance with its terms of reference and the policy of the Council and may appoint Sub-Committee(s) at its discretion. It shall keep an adequate record of its proceedings and shall normally report thereon at each meeting of the Council.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

6.26 The President and Honorary Secretary shall be ex-officio members of all Committees subject to the provisions in the Constitution and Bylaws. The Executive Committee of the Council shall appoint the Chairman and Vice Chairman of each Standing Committee from the Members of the Executive Committee. Every member of the Standing Committees or other Committees of Council except Ad Hoc Committees shall hold office until his successor has been appointed.

At the first meeting of the Standing Committee, the Chairman shall appoint a member to serve as the Secretary of the Committee. The Vice Chairman shall chair meetings of the Standing Committee in the absence of the Chairman.

6.27 At meetings of any Committee, one- third ( $\frac{1}{3}$ ) of its number but in any case not less than three (3) shall constitute a quorum. In the absence of the Chairman or Vice-Chairman where applicable, a member of the Committee shall be elected amongst those present to chair the meeting.



## **The Standing Committee on Finance**

Amendment  
RSM 51/59  
Jan. 1989

- 6.28 The Standing Committee on Finance shall comprise the Deputy President as Chairman, the Honorary Treasurer, who shall be the Secretary; not less than two (2) members from the outgoing Standing Committee on Finance and not less than five (5) members from the Council of the current session.
- 6.29 The principal duties of the Standing Committee on Finance shall be:
- (a) to keep the financial position of The Institution under continual review and to report thereon to the Executive Committee and the Council as necessary from time to time.
  - (b) to make recommendations as and when necessary for the approval of the Council relating to the subscription and other fees.
  - (c) to take responsibility for the sound investment of The Institution's liquid assets;
  - (d) to prepare the annual budget and submit it to the Council;
  - (e) to keep a record of the movable and immovable assets of The Institution which shall show their value and to adjust this value from time to time to allow for depreciation;
  - (f) to arrange for all necessary and desirable insurance to cover both staff and assets and to ensure that such insurances are renewed at the appropriate times;
  - (g) to examine the monthly statements of receipts and payments and submit them in writing to the Executive Committee together with recommendations thereon;
  - (h) to make recommendations as and when necessary for the approval of the Executive Committee, the procedure to be followed in conducting the financial affairs of The Institution;
  - (i) to review the Auditor's Report and Statements of Accounts and make recommendations thereon to the Council.

### **The Standing Committee on Admissions and Practical Training**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

6.30 The Standing Committee on Admissions and Practical Training shall comprise a Vice President, who shall be the Chairman, and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as the Secretary of the Committee.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

6.31 The principal duties of the Standing Committee on Admissions and Practical Training shall be to consider the suitability of candidates for admission, election or transfer to the grades of Fellow, Senior Member, Member, Senior Graduate Member, Graduate Member, Engineering Technologist Member, Engineering Technologist Graduate Member, Engineering Technician Member, Engineering Technician Graduate Member, Incorporated Member, Affiliate Member, Associate Member or Student Member and make recommendations thereon to the Council and to monitor the practical training from time to time.

### **The Standing Committee on Examinations and Qualifications**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

6.32 The Standing Committee on Examinations and Qualifications shall comprise a Vice President, who shall be the Chairman, and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as the Secretary of the Committee.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

6.33 The principal duties of the Standing Committee on Examinations and Qualifications shall be to arrange for the conduct of all examinations of The Institution and to assess qualifications or institutions of learning of applicants as may be required from time to time.

### **The Standing Committee on Professional Practice**

Amendment  
RSM 51/59  
Jan. 1981

6.34 The Standing Committee on Professional Practice shall comprise a Vice President, who shall be the Chairman, and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as Secretary of the Committee.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

6.35 The principal duties of the Standing Committee on Professional Practice shall be:

- (a) To review, co-ordinate and formulate policies on all aspects of professional practice among members of The Institution including the conduct, ethics, discipline and good technical practice.

- (b) to liaise with other Professional Bodies, Public and Statutory Authorities in respect of professional practice only.
- (c) to examine and report to the Executive Committee on any complaint made against a member of The Institution.

### **The Standing Committee on Information and Publications**

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

6.36 The Standing Committee on Information and Publications shall comprise a Vice President, who shall be the Chairman, and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as the Secretary of the Committee.

Amendment  
PPP SEL3/59(32)  
dtd 14 Sept. 2006

6.37 The principal duties of the Standing Committee on Information and Publications shall be:

- (a) to take responsibility for the regular publication of The Institution Journal, monthly Bulletin and other publications, and
- (b) to supervise the efficient operation of The Institution Library including the acquisition, accession and disposal of publications.
- (c) To take responsibility for the maintaining, monitoring and to oversee the IEM Web-portal, Website and Web-pages and to monitor all online submissions solely for publications.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
SEL SEL0183/06  
dtd 18 Mar. 2013

### **The Standing Committee on Activities**

6.38 The Standing Committee on Activities shall comprise a Vice President, who shall be the Chairman, and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as the Secretary of the Committee.

Amendment  
RSM 51/59  
Jan. 1989

6.39 The principal duties of the Standing Committee on Activities shall be to organise all socials, visits, talks and other activities for the furtherance of the aims and objects of The Institution. The Committee shall also be responsible for co-ordinating the activities of Technical Divisions, Special Interest Groups and Sections of The Institution.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2010

### **The Standing Committee on Welfare and Member Services**

Amendment  
RSM 51/59  
Jan. 1989

- 6.40 The Standing Committee on Welfare and Member Services shall comprise a Vice President, who shall be the Chairman and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as Secretary of the Committee.

Amendment  
RSM 51/59  
Jan. 1989

- 6.41 The principal duties of the Standing Committee on Welfare and Service Matters shall be to look into welfare and service matters for the betterment of the members and their dependents.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

For this purpose, the Committee may, from time to time, carry out such survey as necessary to access the remuneration and working condition of engineers, engineering technologists and engineering technicians in order to propose measures for improvement.

### **The Standing Committee on Corporate Affairs**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 6.42 The Standing Committee on Corporate Affairs shall comprise a Vice President, who shall be the Chairman and not less than six (6) other members including the Vice Chairman. A member of the Standing Committee shall be appointed by the Chairman to serve as the Secretary of the Committee.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 6.43 The principal duties of the Standing Committee on Corporate Affairs shall be:

- (a) to forge ties with other professional bodies locally and overseas;
- (b) to look into the representation of The Institution in public and statutory authorities and other relevant organisations;
- (c) to foster closer rapport with them in order to enhance the public image and status of The Institution.

### **Other Committees of Council**

Amendment  
RSM 51/59  
Jan. 1989

- 6.44 The Council may appoint from time to time, other Committees of Council or Ad Hoc Committees chosen from amongst members of the Council and where special circumstances prevail, from amongst other members of The Institution. The appointment of the aforesaid Committee members shall be for such period and with such terms of reference as may be determined by the Council.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

## SECTION VII Meetings

7.1 The meetings of The Institution shall be classified as follows:

- (a) The Annual General Meeting of members only
- (b) Special General Meetings of Corporate Members only, for the purpose of making, altering, and establishing Bylaws and Regulations or for any other special business for which such meetings may be convened.
- (c) Ordinary Meetings
- (d) Council Meetings
- (e) Committee Meetings

7.2 Subject to the provisions of the Constitution, Bylaws, and Regulations, the meetings of The Institution shall be conducted as prescribed by the Council from time to time.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

7.3 In the event of a quorum not being present within sixty-minutes (60) of the hour fixed for the commencement of a meeting, the meeting shall stand adjourned to the same place and the same day and hour in the following week, when the Corporate Members present, and for meetings of Council, including the Appointed Council Members, whatever their number, shall constitute quorum.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

7.4 The accidental omission to send notice of a meeting to, or the non receipt of a notice by, any Corporate Member, and for meetings of Council, including the Appointed Council Members, shall not invalidate the proceedings at the meeting.

### Annual General Meeting

7.5 The Annual General Meeting of The Institution shall be held not later than the end of April of each year on a date and at such time and place as the Council may determine.

The notice for the Annual General Meeting shall be circulated to the general membership at least four (4) weeks before the Annual General Meeting.

- 7.6 The business of the Annual General Meeting shall include the presentation of the Report of Council of the transactions of the past year and the audited financial statements of account, the declaration of the results of the ballots for the election of Officers of The Institution, the election of the internal auditors, the appointment of external auditors, the installation of the President and the consideration of any other business as provided for in these Bylaws.

**Special General Meeting**

- 7.7 The Council may at any time call a Special General Meeting of Corporate Members for a specific purpose relating to the direction and management of the concerns of The Institution.
- 7.8 The notice for the Special General Meeting shall be circulated to the Corporate Membership at least twenty-one (21) days before such meeting. Such notice shall specify the general nature of the matters to be brought before and the resolutions (if any) to be moved at such meeting and none other than that business shall be transacted at that meeting.
- 7.9 All Corporate Members shall have the right to attend and vote at that meeting.
- 7.10 In the event of the Council deeming it desirable that the votes of Corporate Members of The Institution not present at any Special General Meeting be taken into account by means of voting papers, notice of the Special General Meeting in question containing particulars of the Resolutions to be submitted to the meeting, shall be posted by the Honorary Secretary of The Institution together with the voting paper to each Corporate Member of The Institution, at least twenty-one (21) days before the date of the Special General Meeting, in an envelope marked as being from The Institution and addressed to each Corporate Member for the time being appearing on the books of The Institution.
- 7.11 The Honorary Secretary shall also send in such envelope an intimation of the last date by which the voting paper must be received back by the Honorary Secretary, and an envelope addressed to the Honorary Secretary for the return of the said voting paper.
- 7.12 The Corporate Member on receipt of his voting paper, and is unable to be present to vote at the Special General Meeting, shall record his vote and return the voting paper through the post to the Honorary Secretary.

- 7.13 Each voting paper so received by the Honorary Secretary shall, three (3) days before the date of the Special General Meeting, be handed by him to the Chairman of the Meeting, and the vote given thereby shall be duly counted at the Meeting by or under the direction of the Chairman together with the votes cast by the Corporate Members entitled to vote at such meeting. The decision of the Chairman upon any question as to the right to vote or the manner of voting or the recording or counting of votes shall be final.
- 7.14 No Resolutions other than the Resolutions as circulated for the purpose of a postal vote and no amendment or variation of any such Resolution shall be proposed or voted upon at the meeting.

### **Ordinary Meeting**

- 7.15 Ordinary meetings of The Institution shall be to provide an adequate forum for presentation and discussion of technical and professional developments in engineering, with an opportunity provided for fellowship and exchange of ideas.
- 7.16 No question shall be discussed, or motion be made, at any Ordinary Meeting, relating to the direction and management of The Institution, such direction and management being vested in the Council, subject to the provisions of the Constitution and Bylaws, and of the Resolutions of Special General Meetings.
- 7.17 Each member, irrespective of grade shall have the privilege of introducing at every Ordinary Meeting, one guest to be present thereat, by furnishing him with a signed card of introduction, according to a form provided.

### **Council Meeting**

- 7.18 The Council shall meet as often as the business may require but at least once in each quarter. Except for an extraordinary meeting, which may be called at any time, the notice of a meeting of Council shall be circulated at least ten (10) days before such meeting.
- (A) Not less than 10% of the total number of elected Council Members, may at any time requisition a Council Meeting to pass a motion of no confidence against the President.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- (B) The petition for such Council Meeting shall be in writing and signed by the elected Council Members requisite for the meeting and served on the President, Deputy President and the Honorary Secretary of The Institution; and the Council shall convene a Council Meeting to be held within thirty (30) days of such service.
- (C) The written petition shall specify the object of the proposed meeting, to wit: to pass a motion of no confidence against the President.
- (D) If the Council fails to convene a Council Meeting in accordance with the requisition within thirty (30) days of the service of such requisition, the requisitioning elected Council Members may convene the Council Meeting within sixty (60) days of such service.
- (E) A simple majority votes will pass the motion. The Chairman will be elected by the Council at that meeting. The President and Deputy President are not eligible to chair this meeting.
- (F) As soon as the motion is passed, the President shall be deemed to have relinquished his post.
- (G) If the President has relinquished his post pursuant to Section 7.18F, the Deputy President shall assume the post of President in accordance to Article 5.9 of the Constitution.

### **Committee Meeting**

- 7.19 The Executive Committee and Standing Committees of Council shall meet as often as the business may require.
- 7.20 The meetings of Executive and Standing Committees shall be not less frequent than once in every two (2) months. At least seven (7) days advance notice shall be given for each meeting.

### **Voting at Meetings**

- 7.21 Subject to the provision in the Constitution and Bylaws, all questions at meetings shall be decided according to the majority votes properly cast thereat, and in the case of equality, the President or other person presiding shall have a second or casting vote.



Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- 7.22 Only Corporate Members actually and rightfully present at any meeting of the Executive Committee, Standing Committees or a general meeting shall have the right to vote on any motion before such meeting. Only Council members (Elected and Appointed), actually and rightfully present at any meeting of the Council, shall have the right to vote on any motion before such meeting.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

- 7.23 Voting on any motion before such meeting, except the meeting of Council, shall be by voices, except that any Corporate Member present at such meeting may require a show of hands and any ten percent (10%) of the Corporate members present at such meeting may require a secret vote.

Voting on any motion before a meeting of Council shall be by voices, except that any Corporate Council member and Appointed Council member, present at such meeting may require a show of hands and any ten percent (10%) of the Corporate Council members and Appointed Council members present at such meeting may require a secret vote.

#### **SECTION VIII Regional Branches, Technical Divisions and Special Groups, Graduate, Student and Non-corporate Member Sections**

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

- 8.1 The Council may establish or recognise Branches, Technical Divisions and Special Interest Groups, or Graduates, Students or Non-corporate Members Sections as prescribed hereinunder in these Bylaws.
- 8.2 The appropriation and contribution of funds of The Institution subscriptions towards the expenses of Branches/Divisions/Groups/Sections consistent with the objects of The Institution shall be at the sole discretion of the Council and The Institution shall not be responsible for any liability incurred by or on behalf of any Branch/Division/Group/Section beyond any amount previously appropriated or contributed for a specified purpose by the Council.
- 8.3 The Committee of each Branch/Division/Group/Section shall submit to the Honorary Secretary of The Institution an Annual Report which shall be accompanied by an audited Statement of Accounts approved by the Annual General Meeting of the Branch/Division/Group/Section. The Annual Report shall be submitted to the Honorary Secretary of The Institution not later than 31st December of each year.

8.4 If a Branch/Division/Group/Section is found deficient in membership, or to have failed to function in accordance with the Constitution and Bylaws of The Institution, or to have conducted its business in such manner as shall be considered by the Council to be detrimental to the interests of The Institution, the Council shall have the power to suspend or disband any Branch/Division/Group/Section on sixty (60) days' notice or, for cause, remove from office at any time any member of the Committee of such Branch/Division/Group/Section.

Amendment  
RM 51/59  
Jan. 1989

8.5 Upon such decision, the Branch/Division/Group/Section shall be served with a notice of suspension or dissolution as appropriate. On notice of suspension being received, such Branch/Division/Group/Section shall cease all activities in the name of The Institution of Engineers, Malaysia until the suspension is resolved by the Council. On receipt of a notice of dissolution, such Branch/Division/Group/Section shall take such steps provided for in its Rules to wind up its affairs within three (3) months of the date of such notice or within such extended period as shall be approved by the Council. The Branch/Division/Group/Section shall discharge all its debts and liabilities and shall return the remaining funds, if any, to The Institution.

**SECTION VIII A Regional Branches**

8.6 Regional Branches of The Institution may be established within Malaysia by Corporate Members in any region outside the Federal Territory and the State of Selangor, subject to the approval of the Council. Such a regional Branch shall be designated as the ..... Branch of The Institution of Engineers, Malaysia (The name of a specified region shall be filled in the blank).

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

8.7 Application for the establishment of a Branch in a particular region within Malaysia shall be submitted in writing to the Council and signed by not less than fifty (50) Corporate Members residing in the region.

8.8 The application shall be accompanied by the proposed Rules of the Branch for the approval of the Council. The Council shall cause to be published model rules for the conduct of Branches. All members residing within a region where a Branch has been established shall automatically become members of that Branch.

8.9 The affairs of each Branch shall be controlled by a Committee which shall submit to the Honorary Secretary an Annual Report accompanied by an audited Statement of Accounts approved by the Annual General Meeting of such Branch. No member shall hold the office of Chairman of a Branch for more than two (2) consecutive years.

- 8.10 The Branch shall not impose a levy of any kind on its members without the prior approval of the Council of The Institution. It shall maintain itself entirely upon such subsidy as The Institution may provide from time to time. The subsidy in any one financial year shall not be less than twenty per centum (20%) of the subscriptions received by The Institution from members of the Branch for the year.

### **SECTION VIII B Technical Divisions and Special Groups**

- 8.11 The Council may establish or recognise Technical Divisions and Special Groups of members as the Council may decide. Such Technical Division or Special Group shall be designated as the ..... Technical Division/Special Group of The Institution of Engineers, Malaysia. (The name of the specified Technical Division/Special Group should be filled in the blank).

Amendment  
RSM 51/59 Jld3(34)  
dtd.24 Feb. 1994

- 8.12 The formation of each Technical Division or Special Group shall be sanctioned only if the Council shall have received a requisition for such formation signed by not less than fifty (50) members of whom not less than twenty-five (25) shall be Corporate Members eligible to join such Technical Division or Special Group.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

- 8.13 Each Special Group shall be based on community of non-engineering interest and each Technical Division on community of engineering interest. Rules for the conduct of each Technical Division and Special Group shall be subject to the approval of the Council.

- 8.14 Members of The Institution in any grade may become members of a Technical Division or Special Group by enrolment and shall not be subject to payment of any further subscription in addition to the regular subscription of The Institution.

- 8.15 The affairs of each Technical Division and Special Group shall be controlled by a Committee elected annually. The Committee shall consist of a Chairman, Secretary-cum-Treasurer and three Corporate Members, together with such additional officers or members as each Technical Division or Special Group shall specify in its Rules. No member shall hold the position of Chairman of a Technical Division or Special Group for a continuous period longer than three (3) years.

- 8.16 Each Technical Division or Special Group may with the approval of Council set up regional or specialist sections within its organisation if thereby the well being or efficiency or the Technical Division or Special Group is improved.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

**SECTION VIII C Women Engineers, Senior Graduate Member, Graduate, Engineering Technologist, Engineering Technologist Graduate, Engineering Technician , Engineering Technician Graduate, Student and Non-Corporate Member Sections**

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

8.17 The Council may establish or recognise any Section of Women Engineers, Senior Graduate Engineers, Graduate, Engineering Technologist, Engineering Technologist Graduate, Engineering Technician, Engineering Technician Graduate, Student and Non-Corporate Members comprising one or more grades of membership. The formation of each Section shall be sanctioned only if the Council shall have received a requisition for such recognition signed by not less than fifty (50) Members.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

8.18 The Council shall specify the conditions under which such a Section will be recognised. Rules for the conduct of each Section shall be subject to the approval of the Council.

**SECTION IX Professional Conduct & Discipline**

9.1 Every member shall be bound by the Constitution, Bylaws and Regulations of The Institution.

9.2 Every Corporate Member shall at all times so order his conduct as to uphold the dignity and reputation of his profession, and to safeguard the public interest in matters of safety and health and otherwise. He shall exercise his professional skill and judgement to the best of his ability and discharge his professional responsibility with integrity.

9.3 Every member of any grade shall at all times so order his conduct as to uphold the dignity and reputation of The Institution, and act with fairness and integrity towards all persons with whom his work is connected and other members.

9.4 For the purpose of ensuring fulfilment of the requirements of Sections 9.2 and 9.3 of the Bylaws, but without prejudice to their generality, the Council may make, vary and rescind the Professional Conduct Regulations to be observed by all members of all grades with regard to their conduct in any respect which may be relevant to their positions or intended positions as members of The Institution, and may publish directions or pronouncements to the specific conduct which is to be regarded as proper or as improper as the case may be.

- 9.5 No such regulation, variation or rescission shall be in any way repugnant to the Constitution or Bylaws, nor take effect until the same has been notified to all members in writing not less than sixty (60) days, and during which time any fifty (50) Corporate Members may by notice in writing to the Honorary Secretary, require a Special General Meeting to be convened for the purpose of considering, confirming or revoking the same.
- 9.6 Every member of any grade in so far as he shall be engaged or employed in any advisory or consultative capacity, shall observe and be bound by the following Code of Professional Conduct and the Professional Conduct Regulations made thereunder.
- (a) He shall act strictly in a fiduciary manner in relation to his clients, and his charges to such clients shall constitute his only remuneration in connection with such work, except as provided by paragraph (d) of this Bylaw.
  - (b) He shall not accept any trade commissions, discounts, allowances, or indirect profit in connection with the work upon which he is engaged.
  - (c) He shall not, without disclosing the fact in writing to his clients, be a director or member of, or a shareholder in or act as agent for, any contracting or manufacturing company or firm business with which he may have occasion to deal on behalf of his clients, or have any financial interest in such a business.
  - (d) He shall not receive, directly or indirectly, any royalty, gratuity or commission on any patented or protected article or process used on work which he is carrying out for his clients, unless such royalty, gratuity, or commission has been authorised in writing by those clients.
  - (e) He shall not under any circumstances solicit advisory or consultative work, either directly or by an agent, nor shall he pay, by commission or otherwise, any person who may introduce clients to him.
  - (f) He shall not be the medium of payments made on his clients' behalf to any contractor, or business firm (unless specially so requested by his clients), but shall only issue certificates or recommendations for payment by his clients.

*Bylaws*

- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.7 If a complaint in writing, supported by evidence, is made to the Honorary Secretary that a member has acted in any improper or unprofessional manner, the Executive Committee may, if it considers there are reasonable grounds for so doing, appoint an Ad Hoc Hearing Committee on Professional Conduct of not less than three (3) and not more than five (5) Corporate Members to hear the complaint.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.8 On the advice of the Ad Hoc Hearing Committee, the Honorary Secretary shall send by registered post to the member concerned a notice stating the time and place where a Hearing is to be held and stating the nature of the matters to be heard and to inform him that he is entitled to attend and be represented at the Hearing.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.9 Any member whose actions are the subject of a hearing may appear at such Hearing to make representations on his own behalf and or may be represented by another member of The Institution, or by both and may call witnesses and may submit representations in writing, except that in the absence of the member concerned the Ad Hoc Hearing Committee may disregard any written representations not in the form of a statutory declaration.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.10 The Institution shall not be liable for any expenses incurred by the member in connection with the Hearing, but the Council, at its discretion and without prejudice or any admission of liability by so doing, may make a grant to such member to cover the whole or any part of such expense.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.11 If the member fails to appear at the appointed time and place or to make representations as specified in Section 9.9 the Ad Hoc Hearing Committee may proceed in his absence.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.12 For purposes of conducting the Hearing the Ad Hoc Hearing Committee may:-
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- (a) make or employ any person to make any preliminary enquiries it deems necessary;
  - (b) engage counsel to advise the Committee on matters of law, procedure and evidence;
  - (c) receive such evidence, whether legal or otherwise as it thinks fit, and in particular receive evidence by way of the statutory declaration of any person;

- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- (d) require the member whose conduct is the subject of the Hearing to give all information in relation to any books, documents or papers which may be reasonably required by the Committee or by any person employed by it as aforesaid.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.13 Subject to the Bylaws, the Ad Hoc Hearing Committee may regulate its procedure as it thinks fit.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.14 If the Ad Hoc Hearing Committee finds that the complaint is not substantiated this decision shall be transmitted to the Council who shall then direct the Hon. Secretary to inform the member concerned.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.15 If the Ad Hoc Hearing Committee finds that the complaint is substantiated, the Committee shall lay the facts before the Council which shall consider the report and recommendations of the Committee at a meeting of the Council as; provided for in Section IIIB of the Bylaws.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- 9.16 If at such meeting, the Council decided that the member whose conduct is the subject of the Hearing has acted in an improper or unprofessional manner, the Council may make one or more of the following orders:-
- Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002
- (a) Expulsion from membership of The Institution;
- (b) Suspension from membership for any specified period.
- Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011
- (c) A fine not exceeding RM2000.
- (d) A letter of reprimand or admonition.
- (e) Payment of a contribution towards the costs and expenses of The Institution and incidental to any hearing before the Ad Hoc Hearing Committee.
- 9.17 In the event of the Council making an order against the member, the Council may also refer all the facts of the case to The Board of Engineers Malaysia for any action the Board may consider necessary under the provisions contained in the Registration of Engineers Act 1967.
- 9.18 The decision of the Council shall be communicated by registered post by the Honorary Secretary to the member concerned. If the Council has found that the member acted in an improper or unprofessional manner, the Honorary Secretary shall at the same time inform the member of his rights to an appeal.

*Bylaws*

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

9.19 In any case where the Council has made a finding that a member has acted in an improper or unprofessional manner such member may, not later than twenty-eight (28) days from the date of posting of the notification of the decision of the Council to him, submit an appeal in writing. Such appeal may be against the finding of the improper or unprofessional conduct or the order made by the Council or both.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

9.20 Upon receipt of an appeal, it shall be referred by the Honorary Secretary to a Committee of Appeal comprising a representative of the Council and two (2) Past Presidents of The Institution nominated by the President. Such Past Presidents shall not have participated in the deliberation and decision of the Council in the case involving the member concerned.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

9.21 Unless the Committee of Appeal otherwise directs, it shall not be permissible to recall witnesses who gave evidence before the Ad Hoc Hearing Committee or to call other witnesses. The material before the Committee of Appeal shall be the record of the proceedings of the Ad Hoc Hearing Committee and its report including all relevant supporting documents.

9.22 The Committee of Appeal may confirm, vary or reverse the decision or order of the Council and may in addition make such order as to the payment of costs of the investigation and the appeal as it thinks fit.

9.23 The decision of the Committee of Appeal shall be communicated in writing to the Honorary Secretary who shall lay it before the Council. After consideration of any action required under Section 9.16 the Council shall direct the Honorary Secretary to inform the member of the decision of the Committee of Appeal.

9.24 Subject to the Bylaws, the Committee of Appeal may regulate its procedure as it thinks fit.

9.25 In all cases when the Council imposes any of the penalties prescribed in Section 9.16 the circumstances leading to the imposition of the penalty shall be notified to all members either by publication in the Annual Report or in such other manner as the Council may decide. In addition, the Council may disclose to the general membership the name of the member on whom the penalty was imposed. The Council may, and if the member concerned so requests, similarly publish the fact that a complaint has not been substantiated.



9.26 Any fine or cost imposed under Section 9.16 shall be immediately due and recoverable as a civil debt. The existence of such debt shall be sufficiently proved by the production of:-

- (a) The Bylaws and Regulations of The Institution;
- (b) The declaration signed by the member on his form of application for membership;
- (c) The minute of the meeting of the Council at which the penalty was imposed, such minute to be certified as a true and correct record by the affixing thereto of the signatures of the Chairman of such meeting and of two (2) other members of the Council who were present.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

9.27 If a member be convicted by a competent tribunal of an offence which in the opinion of the Council renders him unfit to be a member of The Institution the Council shall have the right to expel him from The Institution subject to the requirements of Article 3.2, or to suspend his membership for any period provided that not less than two-thirds ( $\frac{2}{3}$ ) of the members of Council vote in favour of such action.

## **SECTION X Interpretations**

10.1 “The Institution” means The Institution of Engineers, Malaysia.

10.2 “The Constitution” means the Constitution of The Institution.

10.3 “Bylaws” means the Bylaws of The Institution approved by the Council.

10.4 “Regulations” means the Regulations made by the Council in accordance with the provisions in the Constitution and Bylaws.

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

10.5 “Rules” means the Rules of the Branch/Division/Section of The Institution.

Amendment  
PUTP-007-  
PPM-001-  
10-05011959-  
12122017  
dtd 20 Dec. 2017

10.6 “The Council” means the Council of The Institution.

10.7 “Council members” means the ordinary and appointed members of the Council.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

10.8 “Corporate Members” means Distinguished Honorary Fellows, Honorary Fellows, Fellows, Distinguished Members, Senior Members or Members of The Institution.

*Bylaws*

Amendment  
PPP SEL3/59(13)  
dtd 21 Jan. 2011

10.9 “Non-corporate Members” means Distinguished Honorary Fellows, Honorary Fellows and Honorary Members who are not engineers and Senior Graduate Members, Graduate Members, Engineering Technologist Members, Engineering Technologist Graduate Members, Engineering Technician Members, Engineering Technician Graduate Members, Affiliate Members, Associate Members or Student Members.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

10.10 “Member” (with capital “M”) means a Corporate Member of the grade of Member.

Amendment  
PPM 51/59  
SEL 3/59(22)  
dtd 20 Nov. 2002

10.11 “member” (with small “m”) when use alone or in the phrases “member of The Institution” or “member of the Branch” shall, unless a contrary interpretation appears, mean a Corporate or a Non-corporate Member.

10.12 “Month” means calendar month.

Amendment  
PPP SEL3/59(29)  
dtd 9 Feb. 2006

10.13 “Session” means the period between two (2) consecutive Annual General Meetings

10.14 “Honorary Secretary” or “Secretary” includes any deputy or assistant secretary or any other person appointed by the Council to perform the duties of the Honorary Secretary.

10.15 “Notice” includes a voting paper.

10.16 “Branch” means a regional community of members.

10.17 “Technical Division” means a community of members united by common technical interests.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013

10.18 “Group” means a community of members united by non-technical interests.

10.19 “Section” means a Graduate and/or Companion and/or Student Section i.e. a community of graduates and/or companions and/or students, unless specified otherwise.

10.20 “The Institution Examination” means any examination approved by the Council for the purpose of testing the academic ability of candidates for membership as well as for other purposes.

10.21 “Examination Regulations” mean “Regulations for Examination of Candidates for membership of The Institution” published separately.

- 10.22 “Professional Interview Regulations” mean “Regulations for the Conduct of the Professional Interview” published separately.
- 10.23 “Professional Conduct Regulations” mean “Regulations on Professional Conduct” published separately.
- 10.24 Communication” includes a communication comprising sounds or images or both and a communication effecting a payment.
- 10.25 Electronic form” or electronic mail ” means electronic communication and is a communication transmitted (whether from one person to another from one device to another or from a person to a device or vice versa)
- 10.26 Word importing the masculine gender include the feminine gender; and words in the singular shall include the plural, and words in the plural shall include the singular.
- 10.27 Clauses in the Constitution & Bylaws are referred to as Article and Section respectively.

Amendment  
PPM SEL51/59  
PPP SEL3/59(19)  
PPP SEL0183/06  
dtd 18 Mar. 2013