



JABATAN PENGAJIAN TINGGI

BAHAGIAN PENDAFTARAN DAN PIAWAIAN

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Ruj Kami : JPT/BPP(U)1000-801/91/Jld.2(4)
Tarikh : 25 Julai 2012

Ketua Eksekutif
Kolej Universiti Selatan
PTD 64888, 15 KM Jalan Skudai
P.O Box 76, Skudai
81300 Johor Bahru.

Tuan,

PERLEMBAGAAN KOLEJ UNIVERSITI SELATAN

Dengan hormatnya saya merujuk kepada perkara di atas.

2. Sukacita dimaklumkan Ketua Pendaftar **meluluskan** Perlembagaan Kolej Universiti Selatan. Bersama-sama ini disertakan perlembagaan institusi Tuan yang telah diluluskan untuk tindakan pihak Tuan selanjutnya.

3. Institusi pihak Tuan hendaklah diuruskan secara tegas mengikut perlembagaan ini berdasarkan peruntukan subseksyen 30(1) Akta Institusi Pendidikan Tinggi Swasta 1996 [Akta 555]. Berdasarkan peruntukan subseksyen 30(2) Akta 555, perlembagaan ini tidak boleh dipinda tanpa mendapatkan kelulusan Ketua Pendaftar terlebih dahulu.

Sekian, terima kasih.

"BERKHIDMAT UNTUK NEGARA"

Saya yang menurut perintah,

[DATIN IR. DR. SITI HAMISAH BINTI TAPSIR]

Timbalan Ketua Pendaftar Institusi Pendidikan Tinggi Swasta
Kementerian Pengajian Tinggi Malaysia.

s.k.

1. Ketua Pendaftar Institusi Pendidikan Tinggi Swasta
Kementerian Pengajian Tinggi Malaysia
2. Ketua Pegawai Eksekutif
Agensi Kelayakan Malaysia (MQA)
3. Ketua Eksekutif
Perbadanan Tabung Pendidikan Tinggi Nasional (PTPTN)
4. Pengarah
Bahagian Pendaftaran dan Piawaian (BPP)
Jabatan Pengajian Tinggi
5. Pengarah
Bahagian Penguatkuasaan dan Inspektorat (BPI)
Jabatan Pengajian Tinggi

(file: farizah/kelulusan perlembagaan/selatan/23.06.2012)

**PRIVATE HIGHER EDUCATIONAL INSTITUTIONS
ACT 1996 (ACT 555)**

CONSTITUTION

SOUTHERN UNIVERSITY COLLEGE

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PRIVATE HIGHER EDUCATIONAL INSTITUTIONS ACT 1996 (ACT 555)

THE CONSTITUTION

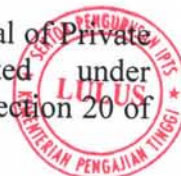
SOUTHERN UNIVERSITY COLLEGE

In pursuance of the powers conferred under Section 30 of the Private Higher Educational Institutions Act 1996, the Minister of Higher Education appoints _____ as the date on which the provisions of the Constitution of the Southern University College shall have effect.

PART I

PRELIMINARY

1. This constitution may be cited as the Constitution of Southern University College **Citation**
2. (1) In this Constitution, unless the context otherwise requires:- **Interpretation**
 - “University” means Southern University College.
 - “Act” means the Private Higher Educational Institutions Act 1996.
 - “Board of Directors” means the Board of Directors of Southern University College (Co. No. 198704V) referred to in Section 3 of this Constitution.
 - “Authority” means any of the Authorities of the University referred to in Section 11 of this Constitution.
 - “Registrar General” means the Registrar General of Private Higher Educational Institutions appointed under sub-section 3(2) of the Act and referred to in Section 20 of this Constitution.
 - The “Company” means Southern University College. (Co. No. 198704V).



PART II

THE UNIVERSITY

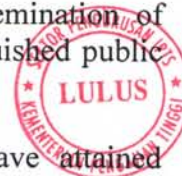
3. There shall be established a University under Section 21 of the Act and shall be established by Southern University College in a company incorporated under the Companies Act 1965.

**Establishment
of the
University**

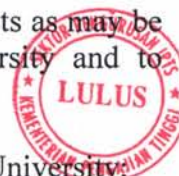
4. (1) The University shall, subject to the provisions of the Act and this Constitution, have the following powers:-

**Powers of
University**

- (a) to provide courses of instruction, to hold examinations, to make provision for research, and to take such other steps including the organization of conferences, seminars or workshops as may appear necessary or desirable for the advancement and dissemination of knowledge;
- (b) to confer degrees, diplomas, certificates and other academic distinctions including external degrees, diplomas, certificates and other academic distinctions upon persons who have followed courses of study approved by the University and have satisfied such other requirements as may be prescribed by rules;
- (c) to recognize the degrees, diplomas, certificates and other academic distinctions of other institutions of higher learning, for the purpose of admission to the courses and examinations of the University and of the award of higher degrees on holders of such degrees, diplomas, certificates or other academic distinctions or on graduates of the University on such conditions as may be prescribed by rules;
- (d) to confer degrees upon teachers of the University who have satisfied such requirements as may be prescribed by rules;
- (e) to confer honorary degrees on persons who have contributed to the advancement or dissemination of knowledge or who have rendered distinguished public service;
- (f) to grant certificates to persons who have attained proficiency in any branch of knowledge;



- (g) to institute Chairs, professorships, lectureships, and other posts and offices, and to make appointments thereto;
- (h) to establish a University printing press and to publish books and other matters;
- (i) to erect, equip and maintain libraries, laboratories, lecture halls, and all other buildings required for the purposes of the University, whether in Malaysia or elsewhere;
- (j) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions and awards and other forms of assistance towards the advancement and dissemination of knowledge;
- (k) to invest in land or securities (whether authorized as trustee investments or not) such funds as may be vested in it for the purpose of endowment, whether for general or special purposes, or such other funds as may not be immediately required for current expenditure, with power from time to time to vary any such investment and to deposit any moneys for the time being uninvested with any bank established in Malaysia either upon fixed deposit or upon current account;
- (l) to grant loans or advances to the employees of the University;
- (m) to grant loans or financial assistance to deserving students on such terms and conditions as may be approved by the Council;
- (n) to conduct commercial research for the effective promotion and utilization of its research findings;
- (o) to enter into contracts and to establish trusts as may be required for the purposes of the University and to appoint such staff for such purposes;
- (p) to appoint and promote employees of the University;
- (q) to establish posts and positions required for academic



and support staff functions;

- (r) to regulate the conditions of service of the employees of the University, including schemes of service, salary scales, leave and discipline;
- (s) to establish pension or superannuation or provident fund schemes for the benefit of the employees of the University, and to enter into arrangements with other organizations or persons for the establishment of such schemes;
- (t) to regulate the discipline of students;
- (u) to demand and receive such fees as may from time to time be prescribed by rules; and
- (v) to do all such acts and things, whether or not incidental to the powers aforesaid, as may be requisite in order to further improve the instruction, research, finance, administration, welfare and discipline, in the University.

- 5 (1) The common seal of the University shall be such seal as may be approved by the Councils on the recommendation of the President and such seal may in like manner from time to time be broken, changed, altered and made anew.
- (2) The common seal of the University shall be kept in the custody of the President.
- (3) The common seal of the University shall not be affixed to any instrument except in the presence of—
(a) The President; and
(b) one other member of the Council,
who shall sign their names to the instrument in token of such presence; and such signature shall be sufficient evidence that such seal was duly and properly affixed and that the same is the lawful seal of the University.
- (4) Where the instrument referred to in subsection (3) is the scroll of a degree, diploma, certificate or other academic distinction, the common seal of the University shall be affixed to it in the presence of the President or an officer authorized by the President.

**The Seal of the
University**



- (5) The seal of the University shall be officially and judicially noticed.
- (6) Any document or instrument which is not required to be under seal may be executed by the University provided that such document or instrument is executed on behalf of the University by an officer or any person generally or specially authorized by the Board.

6. The University may, with the approval of the Minister, conduct any course of study or training programme jointly or in association, affiliation, collaboration or otherwise, with any University or institution of higher education or other educational institution or organization within or outside Malaysia *as provided for in Section 38 of the Private Higher Educational Institutions Act, 1996.*

Conduct of courses of study, etc. in association, etc. with any University
7. Subject to the provision of Article 153 of the Federal Constitution, membership of the University, whether as an officer, teacher or student, shall be open to all persons irrespective of sex, race, religion, nationality or class; and no test of religious belief or profession shall be adopted or imposed in order to entitle any person to be admitted to such membership or to be awarded any degree, diploma, certificate or other academic distinction of the University, including any fellowship, scholarship, exhibition, bursary, medal, prize or other distinction or award.

Distinction of race and creed prohibited
8. (1) The common seal of the University shall be such as may be approved by the Chancellor on the recommendation of the Council and such seal may from time to time be broken, changed, altered and made anew.

The common seal of University

(2) The common seal of the University shall be kept in the custody of the President.

(3) The common seal of the University shall not be affixed to any instrument except in the presence of:-

 - (a) the President; and
 - (b) one other member of the Council,

who shall sign their names to the instrument in token of such presence; and such signature shall be sufficient



evidence that such seal was duly and properly affixed and that the same is the lawful seal of the University.

- (4) Notwithstanding subsection (3) –
- (a) in the case of the scroll of a degree, diploma and other higher degree, the common seal of the University shall be affixed to it in the presence of the President and an officer authorized by the President; and
 - (b) in the case of the scroll of a certificate and other academic distinction, the common seal of the University shall be affixed to it in the presence of an officer authorized by the President.

PART III

OFFICERS OF THE UNIVERSITY

9. (1) There shall be a Chancellor who shall be the Head of the University and shall preside when present at any Convocation and shall have such other powers and perform such other duties as may be conferred or imposed upon him by this Constitution. **The Chancellor**
- (2) The Chancellor shall be appointed by the Board of Directors, for such period not exceeding five years, or for some other period as may be specified by the Board of Directors.
- (3) The Chancellor may by writing under his hand resign his office, or he may be removed by the Board of Directors.
- (4) A person shall be eligible for reappointment to the office of Chancellor.
10. (1) There shall be a President who shall be appointed by the Council, after consultation with the Board of Directors. **The President**
- (2) The President shall be the chief executive and academic officer of the University.
- (3) It shall be the duty of the President to see that the provisions of this Constitution and the regulations are observed, and he shall have all such powers as may be



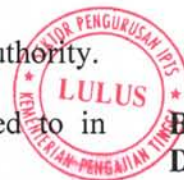
necessary for this purpose.

- (4) The President shall, subject to the provisions of this Constitution, exercise general supervision over the arrangements for instruction, research, finance, administration, welfare and discipline in the University, and may exercise such other powers as may be conferred upon him by this Constitution and regulations.
 - (5) The term of office and other conditions of service of the President shall be determined by the Council, after consultation with the Board of Directors, and shall be binding on the University.
 - (6) There shall be at least one Vice President; the Vice President, as the case may be, shall be appointed by the Council, after consultation with the President, and any fit and proper person may be so appointed either from within or outside the University.
 - (7) If for any substantial period the President is unable by reason of illness, leave of absence or any other cause, to exercise any of the duties, powers and functions of his office, the Vice President or, if there is more than one Vice President, such one of them as may be nominated by the Council shall exercise such duties, powers and functions.
11. The University shall employ officers, teachers and staff appointed under this Constitution. **Employment**

PART IV

THE UNIVERSITY AUTHORITIES

12. (1) The Authorities of the University shall be the Board of Directors, Council, the Senate, Management Board, the Faculties, the Schools, the Centres, the Academies, the Institutes, and such other bodies as may be established from time to time. **The Authorities**
- (2) The provisions of the Schedule shall apply to an Authority.
- 13 (1) The Board of Directors of the Company referred to in Section 3 of this Constitution, shall: **Board of Directors**



- (a) appoint the Chancellor, the Chairman, Deputy Chairman and members of Council and endorse the appointment of the President, nominated by the Council.
 - (b) receive advice from Council and allocate the resources and funds necessary for the University to undertake its functions,
 - (c) receive from time to time progress reports from Council on the development of the University.
 - (d) appoint the auditors, receive and approve their reports on the audited accounts.
 - (e) receive and approve the Annual Report on the activities and the development of the University
- (2) The membership of the Board shall be in accordance with the provisions made in the Memorandum and Articles of Association of the Company.
- 14 (1) The Council of the University appointed by the Board of Directors shall be as far as possible be consistent with national policy guidelines and consist of :- **The Council**
- (a) a Chairman and twelve (12) other members;
 - (b) the President (as ex-officio);
 - (c) A member of the senate elected by the Senate as its representative;
- (2) The Secretary of the Council, who may or may not be a member of the Council, shall be appointed by the Chairman.
- (3) Subject to the Constitution, the Council may determine its own procedure.
15. (1) The Council shall be the executive body of the University, and may exercise all the powers conferred on the University. **Powers of the Council**
- (2) The Council may, in furtherance of its object, establish,



and appoint the members of, such committees as it thinks fit and any such committee may consist partly of persons who are not members of the Council.

- (3) The chairman of every committee shall be appointed by the Council from among the members of the Council.
- (4) The Council may in writing, with such restrictions or conditions as it thinks fit, delegate to a committee any of its functions.

16. (1) The Senate shall consist of:-

Senate

- (a) the President, who shall be the Chairman;
 - (b) the Vice President(s);
 - (c) all Deans of the Faculties and Schools, all Directors of Centres and all Heads of the Academies and Institutes;
 - (d) not more than two members of the rank of Associate Professor and above from each Faculty/School or Centre, elected by the full-time academic staff from amongst themselves.
- (2) The President may, from time to time, co-opt any other persons to be members or to attend meetings of the Senate.
 - (3) In the absence of the President, a Vice President shall preside at any meeting of the Senate.
 - (4) The Senate shall be the academic body of the University and, subject to the provisions of this Constitution, and such other directions as may be given by the Council from time to time be responsible to:
 - (a) plan, develop, review and regulate the academic programs of the University;
 - (b) regulate the admission of persons to courses of study;
 - (c) regulate examinations leading to degrees and other academic awards;
 - (d) regulate the requirements for the conferring of degrees and other academic awards;



(e) make recommendations to the Council on the allocation of resources for teaching and related research.

(5) The Senate may delegate any of its duties, functions and responsibilities to any of its members or a committee consisting of its members or such other persons as may be nominated.

17. (1) The Management Board shall consist of:-

**Management
Board**

(a) the President, who shall be the Chairman;

(b) the Vice President(s);

(c) all Deans of the Faculties and Schools, all Directors of Centers and all Heads of the Academies and Institutes;

(d) the Directors/Heads of departments of the University.

(2) The President may, from time to time, co-opt any other persons to attend meetings of the Management Board.

(3) In the absence of the President, a Vice President shall preside at any meeting of the Management Board.

(4) The scope of functions of the Management Board shall be to:

(a) advise the President on overall policy issues;

(b) review the efficiency and effectiveness of operations;

(c) make recommendations on courses of action to be taken to improve the performance of the University in supporting the achievement of the academic goals;

(d) enhance the co-ordination and co-operation amongst the components of the University and with external bodies; and

(e) assist in the planning and the review of the allocation of resources.

(5) The Management Board may delegate any of its duties, functions and responsibilities to any of its members or a committee consisting of its members or such other persons



as may be nominated.

18. (1) The Executive Management Committee of the University shall consist of— **Executive Management Committee**
- (a) the President, who shall be the chairman;
 - (b) the Heads of departments of the University;
 - (c) such other officers of the University appointed by the President.
- (2) The Executive Management Committee of the University shall advise the President on his administrative and management functions.

19. (1) The Appointment and Promotion Committee for the appointment of the President shall consist of: **The Appointment and Promotion Committee**
- the Chairman of the Council, who shall be the Chairman;
 - (a) one (1) Council member; and
 - (b) one (1) Board member.

The Appointment and Promotion Committee for the appointment of Deputy President (s) and officers of equivalent rank shall consist of:

- (2) (a) the Chairman of the Council, who shall be the Chairman;
- (c) two (2) Council members; and the
- (3) President.

Whenever it is necessary to fill an appointment or to promote to a post through selection by an Appointment and Promotion Committee, other than that provided for in Article 18(1) and (2), the Council shall enact Statutes to enable such appointment.



20. (1) The University shall be divided into such number and names of Faculties, Schools, Centres, Academies and Institutes as may be prescribed by Council.

**Faculty,
School,
Centre,
Academy and
Institute**

- (2) A Faculty, a School, a Centre, an Academy and an Institute shall be responsible to the Senate for the organization of research and instruction in the subject of study within the purview of the Faculty, School, Centre, Academy or Institute.

- (3) The President shall appoint:-

(a) a Dean in respect of each Faculty and School. The Dean shall be chairman of the Faculty or School and shall exercise such duties as may be vested in him by the regulations and carry out such other functions as may be imposed on him from time to time;

(b) a Director in respect of each Centre. The Director shall be chairman of the Centre and shall exercise such duties as may be vested in him by the regulations, and carry out such other functions as may be imposed on him from time to time;

(c) a Head in respect of each Academy or Institute. Such Head shall be styled by such title as may be prescribed. The Head shall be chairman of the Academy or Institute and shall exercise such duties as may be vested in him by the regulations and carry out such other functions as may be imposed on him from time to time.

- (4) In the absence of the Dean, Director or Head on leave or for any other reason, the President shall nominate a person to perform the duties of the Dean, Director or Head.

- (5) A Dean, a Director, and a Head appointed under subsection (3), shall be appointed for a period not exceeding three years but shall be eligible for reappointment.

- (6) Notwithstanding the provisions of subsection (5), the President may, if he deems fit, revoke any appointment made under subsection (3), at any time during the term of



such appointment.

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| 21. | (1) There shall be established a Student Welfare Committee which shall consist of the President and such other persons as may be appointed by Vice - Chancellor. | Student
Welfare
Committee |
| | (2) The Student Welfare Committee shall have such functions as may be prescribed by rules | |
| 22. | (1) Subject to the approval of the Council, it shall be lawful for not less than thirty graduates of the University to form and establish associations to be known as the Alumni of the University. | Alumni
of the
University |
| | (2) The Alumni of the University shall be governed and administered in accordance with its constitution and rules made thereunder shall only come into force when approved by the Council. | |
| 23. | (1) The term of office of a person elected or appointed to be a member of an Authority, otherwise than <i>ex-officio</i> , shall be <u>three</u> years or as may be specified in any particular case. | Term of office
of members of
Authorities |
| | (2) Where a person is a member of an Authority <i>ex-officio</i> , a person appointed to act for him shall be a member of the Authority <i>ex-officio</i> so long as he is so acting and is otherwise qualified. | |

PART V

CONSTITUTION AND REGULATIONS

24. The Council shall have authority to make, amend or revoke any Section of the Constitution subject to the approval of the Registrar General as provided for in Clause 30(2) of the Private Higher Educational Institutions Act 1996.



25. Subject to the provisions of this Constitution, Regulations may be made to deal with the following matters:- **Regulations.**

- (a) the powers and duties of the officers of the University;
- (b) the establishment, composition, powers, duties and procedure of Authorities, other than the Council;
- (c) the methods of appointment and removal and the conditions of service of the officers and teachers of the University;
- (d) the determination of the degrees, diplomas, certificates and other academic distinctions to be conferred by the University;
- (e) the conditions for the admission, and welfare of students;
- (f) the management of the library or information resource center; and
- (g) matters incidental to or consequential upon any of the matters aforesaid.

26. (1) The Council may, subject to the provisions of this section, make, amend and revoke any regulations. **Procedure on making, amending and revoking the regulations.**

- (2) Regulations as amended from time to time or revoked shall be published in book form at such intervals as the Council may direct.

27. In the event of any regulation being inconsistent with the provisions of the Constitution, the regulation shall to the extent of the inconsistency be void. **Inconsistencies between the constitution and regulations**

PART VI

FINANCE, ACCOUNTS AND REPORTS

28. (1) For the purposes of this Part the financial year shall be the calendar year or such other period as the Council may determine. **Financial year**



- (2) The accounts of the University shall, as soon as may be, be balanced for the preceding financial year and an annual statement or extract thereof shall be prepared.
- (3) The annual statement or extract referred to in subsection (2) shall be prepared in such form and shall contain such information as the Council may from time to time direct.
29. (1) The Council shall, not less than one month before the end of the financial year, consider the detailed estimates of revenue and expenditure of the University for the next financial year. **Annual estimates**
- (2) Where additional financial provision is required in any financial year the Council may, from time to time, approve supplementary estimates which should also indicate the sources from which any additional expenditure incurred may be met.
30. The annual and supplementary estimates shall be prepared in such form and shall contain such information, as the Council may direct and shall show in separate parts the annually recurrent expenditure and the capital expenditure of the University. **Form of estimates**
31. The Council may, on behalf of the University, accept by way of grant, gift, testamentary disposition, subventions, legacies, or otherwise, property and moneys in aid of the finances of the University on such conditions as it may determine. **Power of the Council to accept gifts**
32. All property, moneys or funds given for any specific purposes shall be applied and administered in accordance with the purposes for which they may have been given and shall be separately accounted for. **Property given for specific purposes to be separately accounted for**
33. Any contract involving the expenditure of the University shall be in writing and signed on behalf of the University by any employee of the University duly authorised by the Council either specially in any particular case or generally for all contracts below a certain value, or otherwise, as may be specified in the authorization. **Form of contracts**
34. (1) The accounts of the University shall be audited annually by **Audit**

auditors appointed by the Board of Directors.

- (2) The audited accounts, with any observation made thereon by the auditors, shall be submitted to and accepted by the Board of Directors.
35. The Council shall, no later than 6 months after the end of each financial year or such other date as the Board of Directors may determine, submit to the Board of Directors an annual report on the activities and development of the University. **Report**

PART VII

GENERAL PROVISIONS

36. (1) Convocation for the conferment of degrees shall be held annually, or as often as the Chancellor may direct, on such date as may be approved by the Chancellor. **Convocation**
- (2) In the absence of the Chancellor, the Chairman of Council or the President shall preside over the Convocation.
37. (1) The President shall be responsible for the discipline and conduct of students in the University. **Disciplinary Authority in respect of students**
- (2) In the discharge of his duties, the President shall comply with and give effect to directions issued by the Registrar General from time to time in respect of the discipline and conduct of the students as provided for in Section 46(2) of the Private Higher Educational Institutions Act 1996.
38. (1) The registered students of the University may, with the approval of the President, and subject to the provisions of Section 46-50 of the Private Higher Educational Institutions Act 1996, constitute an Association and/or student societies. **The Students' Association**
- (2) The constitution of the Association and any amendment or revocation thereof shall be approved by the Council and shall not have effect until so approved.

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| <p>39. If the Association or a student body established under Section 34 conducts itself in a manner, which in the opinion of the President is detrimental or prejudicial to the well-being or reputation of the University or acts in contravention of the Constitution of the University, the Council may suspend or dissolve the Association or the said student body, as the case may be.</p> | <p>Acts <i>ultra vires</i> this Constitution and the Constitution of the Association</p> |
| <p>40. (1) If any member of an Authority, or any graduate of the University, or any person who has been conferred a degree, diploma, certificate or other academic distinction by the University, is convicted by a court of law of any heinous offence whether within or without Malaysia, or is in the opinion of the Council guilty of scandalous conduct, it shall be lawful for the Chancellor:-</p> <p>(a) In respect of a member of an Authority, to remove him from membership of the Authority; or</p> <p>(b) In respect of a graduate of the University, to deprive him of any degree, diploma, certificate or other academic distinction conferred upon him by the University.</p> | <p>Deprivation of degree, etc. on grounds of misconduct</p> |
| <p>41. If any question arises whether any person has been duly elected, appointed, nominated or co-opted to membership, or is entitled to be or to remain a member of any Authority or other body in the University, the question shall be referred to the President, whose decision thereon shall be final.</p> | <p>Disputes as to elections determined by President</p> |

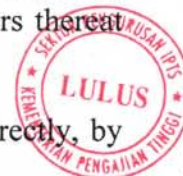
SCHEDULE

[SUBSECTION 11(2)]

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| <p>1. For the purpose of this Schedule the term "Authority" shall exclude the Board of Directors and the Council. The following person shall be disqualified from being appointed or being a member of an Authority of the University:</p> <p>(a) if there has been proved against him, or he has been convicted on, a charge in respect of –</p> <p>(i) an offence involving fraud, dishonesty or moral turpitude;</p> <p>(ii) an offence under a law relating to corruption;</p> | <p>Disqualification</p> |
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- (iii) an offence under this Constitution; or
- (iv) any other offence punishable with imprisonment of more than two years;
- (b) if he becomes a bankrupt; or
- (c) if he has been found or declared to be of unsound mind or has otherwise become incapable of managing his affairs.
2. A member of an Authority shall cease to be a member –
- (a) if he fails to attend three consecutive meetings of the Authority without leave of the chairman of the Authority; or
- (b) if his appointment is revoked or he resigns.
3. A member of an Authority may resign by giving one month's notice in writing to the chairman of the Authority.
4. Where any person ceases to be a member of an Authority by reason of the provisions of this Constitution, another person may be appointed to fill the vacancy for the remainder of the term for which the member was appointed.
5. An Authority may invite any person to attend a meeting or deliberation of the Authority for the purpose of advising it on any matter under discussion but that person shall not be entitled to vote at the meeting or deliberation.
6. (1) An Authority shall cause minutes of all its meetings to be maintained and kept in a proper form.
- (2) Minutes made of meetings of an Authority shall, if duly approved at the next meeting and signed by the Chairman be admissible in evidence in all legal proceedings without further proof.
- (3) Every meeting of an Authority in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held and all members thereof to have been duly qualified to act.
7. (1) A member of an Authority having, directly or indirectly, by himself or his partner –
- Cessation from being a member**
- Resignation**
- Filling of vacancies**
- Authority may invite others to meetings**
- Minutes**
- Disclosure of interest**



- (a) an interest in a company or an undertaking with which the Authority proposes to make a contract or any arrangement; or
- (b) an interest in a contract, arrangement or matter under discussion by the Authority,

shall disclose to the Authority the fact of his interest and its nature.

- (2) A disclosure under subparagraph (1) shall be recorded in the minutes of the Authority and, unless specifically authorised by the chairman, such member shall take no part in the deliberation or decision of the Authority relating to the contract, arrangement or matter.

8. No act done or proceeding taken or decision made by an Authority shall be questioned on the ground of –

**Validity of
acts and
proceedings**

- (a) a vacancy in the membership of, or a defect in the constitution of, the Authority;
- (b) a contravention by a member of the Authority of the provision in paragraph 7; or
- (c) an omission, a defect or an irregularity not affecting the merit of the case.

