



CONSTITUTION

PREAMBLE

The following preamble is for information only and does not form a part of the current Constitution of SEARCC.

Be it established on this day of 5th December 1991 by the Executive Council of the South-East Asia Regional Computer Confederation (hereinafter referred to as "SEARCC"), the following Articles of the Constitution of SEARCC, superseding all previous articles of the Constitution which could have hitherto been adopted or applied;

And be it established that the name "South East Asia Regional Computer Confederation" shall in no way be taken to describe any geographical delineation either expressed or implied in respect of eligibility for membership of any description hereinafter save in the understanding that such membership shall in generality be confined to the entirety of The Region as described in the definition given hereunder;

And be it further established that SEARCC as constituted shall bear no political allegiance of any nature or intent and shall pursue solely the Aims as established in Article I hereunder;

And be it known that the Founder Member economies of SEARCC shall be the parties who on the third day of February 1978 engrossed the SEARCC Declaration, to wit, the Hongkong Computer Society, the Ikatan Profesi Komputer dan Informatika Indonesia, the Malaysian Computer Society, the Philippine Computer Society, the Singapore Computer Society and the Computer Association of Thailand, and such members shall de facto be Full Members of SEARCC.

This constitution has been revised on several occasions since the establishment of SEARCC in 1991 and includes all such revisions including those amendments agreed by the SEARCC Executive in 2021.

ORGANISATION

This constitution establishes the South-East Asia Regional Computer Confederation (hereinafter referred to as "SEARCC"). All sections of this document except the Preamble form part of this constitution.

It is intended that that the name "South East Asia Regional Computer Confederation" shall in no way be taken to describe any geographical delineation either expressed or implied in respect of eligibility for membership of any description hereinafter save in the understanding that such membership shall in generality be confined to the entirety of the Region as described in the definition given hereunder.

SEARCC as constituted shall bear no political allegiance of any nature or intent and shall pursue solely the Aims as established in Article I hereunder.

DEFINITIONS

The following definitions shall be applied to the interpretation of the meaning of words in the Articles. Where applicable, words denoting the singular shall encompass the plural and words describing the masculine shall include the feminine.

<i>Executive Council</i>	means the South-East Asia Regional Computer Confederation Executive Council, as established under Article III, 3.1 of this Constitution
<i>Host Organisation</i>	means a SEARCC member who is responsible for holding or organising a SEARCC activity, where this is not undertaken by SEARCC itself;
<i>Longstanding Members</i>	means a full member of SEARCC, of more than 3 years continuous standing
<i>Observers</i>	means representatives of national, professional and international organisations invited to participate in the activities of SEARCC from time to time;
<i>Regional Conference</i>	means a South-East Asia Regional Computer Confederation Conference and shall be described as ‘SEARCC XX’;
<i>SEARCC Declaration</i>	means the Declaration signed by the original member economies on 3rd February 1978;
<i>The Region</i>	means the region comprising the mainland of Asia and all such territories north and south encompassed within the rims of the Pacific Ocean and its associated seas; and
<i>The Secretariat</i>	means the office of the Secretary-General of SEARCC duly appointed under Article III, 3.3 of this Constitution.

ARTICLE I

AIMS

1. The Aims of SEARCC are:
 - a. To promote cooperation among the national computer societies in the Region for the expressed or implied purpose of advancing the knowledge and application of information technology in the region;
 - b. To promote and collaborate with Member economies of SEARCC, with their consent or at their request, in joint projects and programmes of mutual benefit relating to information technology and to assist in their development;
 - c. To hold Regional Conferences, webinars or other events or activities at such intervals and locations as determined by the Executive Council and such other regular meetings as may be determined by the Executive Council from time to time. In this context, the term location will include activities which are undertaken virtually;

- d. To pursue opportunities and relationship with other national, international and professional organisations and agencies as may be beneficial in advancing the interest of SEARCC.

ARTICLE II

MEMBERSHIP

2.1 Full Members

- 2.1.1 A registered computer society or its equivalent thereof, properly constituted under the laws of the jurisdiction in the Region that subscribes to the Aims of SEARCC may be admitted to Full Membership of SEARCC by a two-third majority vote of the SEARCC Full Members;
- 2.1.2 The Executive Council may from time to time determine the form of application and the nature of information required in support of any application for Full Membership;
- 2.1.3 Full Members shall have a vote.

2.2 Associate Members

- 2.2.1 A registered computer society or its equivalent thereof, properly constituted under the laws of the jurisdiction in The Region, that subscribes to the Aims of SEARCC may be admitted to Associate Membership of SEARCC by a two-third majority vote of SEARCC Full Members;
- 2.2.2 Associate Members shall have no vote;
- 2.2.3 Without prejudice to the generalities of Article 2.1 and Article 2.2, the Executive Council shall be empowered to determine the grant of membership in either of the categories stated, in the event of
 - a) an application from a computer society of a jurisdiction for admission as Associate Member when such a society was eligible to apply for admission as a Full Member, or vice versa; and
 - b) an application from a computer society of a jurisdiction for admission as an Associate Member when another computer society of that jurisdiction is already a Full Member, or vice versa.

2.3 Affiliate Members

- 2.3.1 The Executive Council may from time-to-time grant Affiliate Membership under such terms and conditions as it would deem appropriate but shall in no way be more favourable than Full and Associate Members, to properly registered organisations who subscribe to the Aims of SEARCC, and admission of Affiliate Members shall be by a two-third majority vote of SEARCC Full Members;
- 2.3.2 Eligibility for admission as Affiliate Members shall be restricted to organisations who are otherwise not eligible to be Full or Associate Members of SEARCC;
- 2.3.3 Affiliate Members shall have no vote.

2.4 Withdrawal

- 2.4.1 Any member of SEARCC may withdraw from Membership by formal notice addressed to the Secretariat. Such notice shall take effect after six months from the date of receipt of such notice. Such withdrawal shall be without prejudice to any obligation of the withdrawing member to SEARCC on the date the withdrawal takes effect.

2.5 Cessation of Membership

- 2.5.1 In the event that it has become necessary in the interest of SEARCC to review the continuing membership of any member, the Executive Council shall determine a process of evaluation, which in the sole judgment of the Executive Council to be appropriate in the circumstance, to consider cessation of membership;
- 2.5.2 Provided that such process as the Executive Council may determine shall include opportunity for exculpation; and provided further that no cessation of membership shall be valid except upon the majority vote of two-thirds of the membership of SEARCC present and voting at an Executive Council meeting.

2.6 Determination by the Executive Council

- 2.6.1 Notwithstanding the provisions of this Article, the Executive Council shall be empowered to determine the placement of an organisation either as an Associate or Affiliate Member and shall be empowered to apply in whole or part the conditions which govern the admission of Associate and Affiliate to any application.

ARTICLE III

ORGANISATION AND FUNCTIONS

- 3.1 SEARCC shall institute an Executive Council (hereinafter referred to as "the Executive Council"), a Secretariat and such number of Committees as provided under these Articles or as the Executive Council may constitute from time to time.

3.2 The Executive Council

- 3.2.1 The Executive Council shall determine the policies of SEARCC in accordance with the provisions of these Articles.
- 3.2.2 The business of the Executive Council may be conducted by circulation to all members of the Executive Council. The decision of the Executive Council shall be binding only with the agreement of a simple majority of the total number of members of the Executive Council, except where otherwise specified elsewhere in these Articles.
- 3.2.3 The Executive Council shall conduct its business during its regular meetings at the date and place as a majority of the members of the Executive Council may determine. The presence of a simple majority of the total membership of the Executive Council or five longstanding members of the Council, whichever shall be the lower, shall constitute a quorum. Decisions

arising from such meeting will require a simple majority of the members present to be binding except where otherwise specified. The Meeting Agenda shall be issued by the Secretary-General to members of the Council at least 5 days before the meeting.

- 3.2.4 Each Full Member economy of the Executive Council shall be entitled to one vote at Executive Council meetings.
- 3.2.5 In the event of a tie in the voting, the President of the Executive Council shall have the casting vote.
- 3.2.6 The Council shall adopt its own rules of procedure without prejudice to the provisions in these Articles.
- 3.2.7 The Council may establish legal entities to further the aims of SEARCC provided the governing committee of any such entity shall comprise a majority of members of the Council.

3.3 **The Secretariat**

There shall be established a Secretariat with the following functions:

- a) To plan and implement programmes adopted by the Executive Council;
- b) To prepare the agenda for Council meetings including the coordination and preparation of reports for the Executive Council meeting; and
- c) To carry out such assignments as may be directed by the Executive Council from time to time.

3.4 **Conference Host Selection**

The Executive Council shall determine sites and hosts of any Regional Conference in advance through a Conference Bid process, provided that the Executive Council shall have absolute discretion to amend the sequence of selected sites in the event that any such site becomes unavailable for the hosting of a Regional Conference.

3.5 **Conference Host Committee**

The Executive Council may ratify the nomination of members to the Conference Host Committee on the recommendation of the member of SEARCC in whose jurisdiction the Regional Conference will next be held. The function of this Committee is to plan and implement all necessary measures to ensure the proper conduct of the Regional Conference in that jurisdiction and to coordinate with other relevant committees of the Executive Council towards the fulfilment of this objective.

3.6 **Activities**

The Executive Council shall be empowered to establish such regional groups, committees and others of similar nature, either for specific or general objectives, for a determined period or indefinitely, for the purpose of advancing the Aims of **SEARCC**.

ARTICLE IV

COMPOSITION OF EXECUTIVE COUNCIL COMMITTEES & APPOINTMENTS

4.1 The Executive Council

The Executive Council shall be comprised of Full Member economies of SEARCC on the basis of one accredited representative from each Full Member economy provided that the Executive Council may allow for an increase in the number of representatives for each Full Member economy on an equality basis and without prejudice to Article 3.2.4.

4.2 The Secretariat

4.2.1 There shall be established an office of the Secretary-General (hereinafter referred to as "The Secretariat") at the jurisdiction of the Secretary-General who shall be appointed by the Executive Council.

4.2.2 The Secretariat shall report directly to the President.

4.3 The Conference Host Committee

4.3.1 The Conference Host Committee shall comprise such number of persons as the Host Organisation shall consider necessary for carrying the responsibilities of the Committee into effect.

4.3.2 The Conference Host Committee nominations shall be reported to the Executive Council.

4.4 The President of SEARCC

4.4.1 The Executive Council, at an EXCO meeting, shall elect as President either the accredited representative of one of the Full Members of SEARCC or an independent President as determined by the EXCO. For clarity, an independent President has no deliberative vote, only a casting vote.

4.4.2 The election shall be by a simple majority of Full Members of SEARCC voting at an EXCO meeting, in person, via videoconference or teleconference, or through a proxy vote, which has been lodged with the Secretary General at least 24 hours before the relevant meeting.

4.4.3 The President shall be elected for a three-year term. If the President was elected as a representative of a SEARCC Full Member, and ceases to be so, then EXCO will determine whether he or she should become an independent for the remainder of the original term. The President may not be elected for more than two consecutive three-year terms; this restriction does not include elections before the adoption of the December 2021 version of the constitution.

4.4.4 Nominations for President shall be communicated to the Secretary-General prior to the start of the EXCO meeting at which the President is to be elected.

4.4.5 The Secretary General shall conduct the election and shall chair that part of the EXCO meeting during which the election of President takes place.

4.5 The Vice-Presidents

- 4.5.1 EXCO may elect up to two Vice-Presidents of the Executive Council who must be representatives of a SEARCC Full Member.

4.6 The Secretary-General

- 4.6.1 The Executive Council shall appoint a Secretary-General at an EXCO meeting from among SEARCC member economies for a term of between three and five years, as determined by the Executive Council. The Executive Council shall be empowered to extend the term of the Secretary-General for additional terms as it deems fit. The Secretary-General shall not be a representative of his national society on the Executive Council.

4.7 The Assistant Secretary-General

- 4.7.1 The Executive Council may appoint an Assistant Secretary-General from among SEARCC member economies for a term of 2 years at an Executive Council meeting held during a Regional Conference provided that the Executive Council shall have discretion in extending the appointment by further such terms. The Assistant Secretary-General shall assist the Secretary-General in his responsibilities and shall not be a representative of his national society on the Executive Council.

4.8 Advisors

- 4.8.1 The Executive Council may appoint a panel of Advisors as may be considered necessary.
- 4.8.2 The Advisors shall be appointed at the meeting of the Executive Council.
- 4.8.3 The Advisors shall be appointed for a term of 3 years and the Executive Council may re-appoint any Advisor for further terms as it deems fit.
- 4.8.4 The Advisors shall have no vote.

4.9 Distinguished Fellows

- 4.9.1 There shall be established an award of Distinguished Fellow of SEARCC as the highest award granted by SEARCC to individuals who have made exceptional contribution to SEARCC and to individuals from The Region who have made exceptional contribution to the advancement of information technology.
- 4.9.2 The Executive Council shall be empowered to promulgate rules from time to time governing the award of the Distinguished Fellow.
- 4.9.3 The Executive Council may at its absolute discretion constitute panels of reviewers as it deems necessary to be comprised of such persons as appropriate to review proposals for the grant of the Distinguished Fellow award.

ARTICLE V

BUDGET & SUBSCRIPTION

- 5.1 The budget of SEARCC shall be as determined by the Executive Council annually in advance.
- 5.2 For the purpose of establishing or varying the rate of membership subscription to SEARCC, the consensus of two-thirds of the membership of SEARCC must be obtained.
- 5.3 The Executive Council shall determine the method of contribution of funds to SEARCC and the disbursement thereof.
- 5.4 The cost of administration of the Secretariat shall be borne out of funds to be provided by member economies of SEARCC.
- 5.5 The accounts of SEARCC shall be reviewed by auditors duly authorised by law to carry out audits, unless a full Audit is requested by any two members of EXCO, in which case, a full audit will be undertaken.
- 5.6 The Secretariat shall prepare financial rules from time to time for the administration of funds under its charge, and such rules shall be approved by the Executive Council and promulgated as a schedule appended to the Constitution.

ARTICLE VI

RELATIONSHIP WITH OTHER INTERNATIONAL ORGANISATION & AGENCIES

- 6.1 SEARCC may cooperate with any other regional or international organisation and agency whose interests and activities are in conformity with the aims of SEARCC.
- 6.2 SEARCC may establish effective working relationships with any other international organisation or agency for the purpose of furthering the aims of SEARCC.
- 6.3 SEARCC may affiliate to any other international organisation or agency which contributes to similar aims as that of SEARCC.

ARTICLE VII

AMENDMENTS

- 7.1 Proposals to amend these Articles must be submitted to the President of the Executive Council no less than two months prior to the meeting of the Executive Council at which they will be considered.

- 7.2 The President shall submit to members of the Executive Council the proposed draft amendments in full at least one month before the scheduled date of the meeting of the Executive Council at which they are considered.
- 7.3 The proposed amendments shall become effective upon receiving the approval of two-thirds majority of the total membership of the Executive Council meeting.

ARTICLE VIII

INTERPRETATION

- 8.1 Any question or dispute concerning the interpretation of these Articles shall be decided by the Executive Council whose decision shall be final.

ARTICLE IX

SAFEGUARDS

- 9.1 These Articles shall operate without prejudice to the laws of the jurisdictions represented in SEARCC.
- 9.2 Members of SEARCC shall not intervene in matters which are essentially within the domestic jurisdiction of any of the members of SEARCC.

ARTICLE X

DISSOLUTION

- 10.1 SEARCC as an organisation may only be dissolved upon a resolution at an Executive Council meeting, by a two-thirds majority vote out of the total "Full members" of SEARCC. Such Full Members who are unable to be present at the said Executive Council Meeting are eligible to vote by any other means acceptable to the Executive Council agreed by a simple majority three months prior to the said Executive Council meeting.
- 10.2 Such resolution to dissolve SEARCC, and the reasons for doing so, shall be submitted to the President in writing by the proposing Full member, and seconded by another Full member, not less than six months prior to the said meeting of the Executive Council.
- 10.3 If the Executive Council resolves to dissolve SEARCC, then any funds remaining after all liabilities have been met, shall be disbursed according to a formula to be approved by the said Executive Council meeting referred to in 10.1 above.