

**CONSTITUTION OF
THE ASEAN CONSTRUCTORS FEDERATION**

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CONSTITUTION OF THE ASEAN CONSTRUCTORS FEDERATION

PREAMBLE

We, the construction contractors of the ASEAN region, represented by our national constructors associations,

aware of the vital role the construction industry plays towards the success of the economic development in the ASEAN region,

dedicated to raising the living standards and quality of life of the ASEAN people through the creation of sufficient employment opportunities to sustain ample income,

cognizant of the need to expand the construction capabilities of ASEAN constructors for fruitful utilization of the abundant human resources in the region, thus employing them as a valuable asset instead of allowing them to be a burden to economic development, and

united in our belief in the philosophy of ASEAN and in our efforts to contribute to the pursuance of ASEAN objectives,

do formally associate ourselves into an organization and hereby ordain and proclaim the constitution therefor.

Article 1 NAME

The name of the organization shall be the ASEAN Constructors Federation, hereinafter referred to by its acronym “ACF”.

Article 2 PURPOSES AND OBJECTIVES

The purposes and objectives of the Federation are:

- a) To provide a forum for dialogue among the construction contractors in the ASEAN region for the purpose of evolving a collective and more effective role for the construction industry in the economic development of the ASEAN region;
- b) To foster closer cooperation among the construction contractors in the ASEAN region by promoting joint ventures and joint operations for enhancement of their construction contracting capabilities through complementation and/or supplementation;
- c) To promote mutual consultation among construction contractors in the ASEAN region, by encouraging exchange of information and know-how for improvement of construction technology and management, upgrading of construction labour skills and standards, and, ultimately, achieving rapid advancement of the construction industry in the ASEAN region; and
- d) To unify efforts of the construction contractors in the ASEAN region with a will to promote export of construction services to countries outside of the ASEAN region, and to pool resources, if necessary or desirable, to attain the goal.

Article 3 MEMBERSHIP

All countries of ASEAN are eligible for membership in the ACF. Membership, however, shall be by organization in the capacity of a representative national association of construction contractors and each ASEAN country shall be limited to only one such organizational membership.

Article 4 THE ACF COUNCIL

4.1 The ACF Council

The ACF Council shall be the policy-making and governing body of the ACF.

4.2 Composition of the ACF Council

The Council shall be constituted with three (3) representatives from each member association, of whom:

- a) One shall be the incumbent president of the member-association, and
- b) The other two shall each be a present or past officer or director of and delegated by the member association as a representative to the Council.

4.3 Terms of Office of ACF Council Members

The term of office of a Council Member holding the office by virtue of being the incumbent president of a member-association, as provided in Sec. 4.2(a) hereof, shall be co-terminous with his term of office as president of the member-association.

A Council Member delegated as a representative by a member-association, as provided in Sec 4.2(b) hereof, shall hold office until replaced by the member-association; provided that the two such Council Members from one member-association shall not be replaced simultaneously, but at an interval of not less than one hundred eighty (180) days.

4.4 ACF Council Meeting

The Council shall meet regularly once a year, at time and place as determined by the Council.

Special meeting shall be convened upon request of at least two member-associations as the need arises.

4.5 ACF Council Meeting Quorum

A member-association shall be deemed present with any one of its three representative Council Members in attendance. The presence of a majority of the member-associations at a Council meeting shall constitute a quorum.

4.6 ACF Council Voting

Each member-association in the Council shall be entitled to only one vote, notwithstanding the three-person representation in the Council as provided in Sec. 4.2 hereof.

Any resolution by the Council shall be upon unanimous vote of the member-associations present at and constituting a quorum for a Council meeting.

Article 5 OFFICERS OF THE ACF

5.1 ACF Officers

The ACF shall have the following officers:

- a) A Chairman who shall be elected by the Council from among its members; and
- b) A Secretary-General who shall be a career officer appointed by the Council and whose tenure shall be at the discretion of the Council.

- c) A Treasurer-General who shall be a career officer appointed by the Council and whose tenure shall be at the discretion of the Council.

5.2 Duties and Responsibilities of the Chairman

The Chairman shall be the Chief Executive Officer of the ACF and shall:

- a) Represent the ACF in all official functions;
- b) Implement policies enunciated and resolutions adopted by the Council; and
- c) Perform such other duties and functions as may be assigned by the Council.

5.3 Term of Office of the Chairman

The term of office of the Chairman shall be two (2) years or co-terminous with his term of office as Council Member, whichever is shorter; subject to the following provisos:

- a) That a change in representation capacity of a Council Member from that of an association president representative, as provided in Sec. 4.2(a) hereof, to that of a delegated representative, as provided in Sec. 4.2(b) hereof, or vice versa, shall not be construed as a termination of his term of office as a Council Member, and
- b) That, notwithstanding the termination of his term of office, the Chairman shall continue holding his office until his successor shall have been duly elected by the Council.
- c) In the event of death or incapacity of or resignation by the Chairman, the member-association with which the Chairman is affiliated shall designate the most senior member of its current representation to the Council as Acting Chairman pending election of a new Chairman by the Council.

- d) For the purpose of electing a new Chairman in connection with the above mentioned occasion, the Acting Chairman shall convene a Council meeting within three (3) months after the designation of the Acting Chairman to elect a new Chairman.

5.4 Duties and Responsibilities of the Secretary-General

The Secretary-General shall perform under the immediate supervision of the Chairman, but shall be responsible to the Council. He shall have the following duties and responsibilities:

- a) Overall management of the Permanent Secretariat provided for in Sec. 6.2 hereof;
- b) Attendance to all administrative affairs of ACF;
- c) Custody of all official records of ACF; and
- d) Performance of such other duties as the Council may assign from time to time.

5.5 Duties and Responsibilities of the Treasurer-General

The Treasurer shall perform under the immediate supervision of the Chairman, but shall be responsible to the Council. He shall have the following duties and responsibilities:

- a) Management of the funds of ACF under the direction of the Chairman.

Article 6 PRINCIPAL OFFICE AND PERMANENT SECRETARIAT

6.1 Principal Office

The principal office of ACF shall be in Jakarta, Indonesia. The Council, however, shall be empowered to transfer the principal office to any other ACF member country.

6.2 Permanent Secretariat

As an administrative arm of the ACF, a Permanent Secretariat shall be established at the principal office of ACF and under the management of the Secretary-General.

Article 7 MEMBERSHIP FEES AND ASSESSMENTS

Annual membership fee shall be as determined by the Council. The Council shall also be empowered to assess additional contributions and other fees from time to time as may be deemed necessary by the Council.

Article 8 ASSETS

The funds and properties of the ACF shall be utilized solely for the pursuance of the ACF purposes and objectives and shall belong to the members of the time being. No member shall by reason of membership have any pecuniary or transmissible or assignable interest therein.

Article 9 AMENDMENT

This constitution may be amended by a unanimous vote of the Council.

Article 10 EFFECTIVITY

This constitution shall take effect upon written confirmation of its ratification by each and every national-constructor-association member of the ACF.

IN WITNESS WHEREOF, we hereto set our hands on this 30th day of May 1985, in Jakarta, Indonesia.

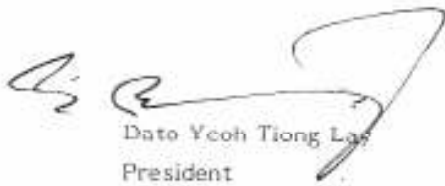
INDONESIAN CONTRACTORS ASSOCIATION :


Sutardi Wongsohartono
President


H. Eddy Kowara


H. Secakusuma

MASTER BUILDERS ASSOCIATION OF MALAYSIA :


Dato Yeeh Tiong Lee
President


Bernard T.H. Wang


Siah Kwee Mow

PHILIPPINE CONSTRUCTORS ASSOCIATION, INC. :


Bernardo O. Armada
President


Alfredo V. Asuncion


Anton C. Kho

SINGAPORE CONTRACTORS ASSOCIATION LTD. :


Tan Eng Leong
President


Lim Kong Eng


Jimmy Koh

THAI CONTRACTORS ASSOCIATION :

Vis Liptapanlop
President

Supachai Wanglee


Aroon Sorathes

Note: Amended on 30th November 2006 at the 25th ACF Council Meeting, Hanoi, Vietnam.