

THE CONSTITUTION OF THE PERSATUAN PERUBATAN MALAYSIA (MALAYSIAN MEDICAL ASSOCIATION)

ARTICLE I

(1) NAME

The Association shall be called “PERSATUAN PERUBATAN MALAYSIA” (THE MALAYSIAN MEDICAL ASSOCIATION) and is referred to hereafter in these Rules as “The Association”.

(2) ADDRESS

The Association shall have a registered address from which and to which communications may be addressed.

Its present address is: Bangunan MMA, 124 Jalan Pahang, 53000 Kuala Lumpur, and shall not be changed except by a resolution of the Council of the Association or of a General Meeting of the Association and the prior approval in writing of the Registrar of Societies.

The meetings of the members of the Association depending upon their objects shall be held at such place and time as the Honorary General Secretary of the Association by direction of the Executive Committee of the Council may decide.

(3) EMBLEM



The Association shall have an Emblem which shall consist of two tigers facing each other, one on each side of a crescent, the horns of the crescent shall meet in a fourteen pointed star at its head with the staff of Aesculapius with the two serpents at its centre and the words “JASA UTAMA” within the crescent all of which shall be supported by a band containing the words “PERSATUAN PERUBATAN MALAYSIA” and band containing the words “MALAYSIAN MEDICAL ASSOCIATION”.

(4) MOTTO

“JASA UTAMA” shall be the motto of the Association.

ARTICLE II

OBJECTS AND POWERS

(1) Objects:

The Objects of the Association are:

- (i) To promote and maintain the honour and interest of the profession of medicine in all its branches and in every one of its segments and help to sustain the professional standards of medical ethics.
- (ii) To serve as the vehicle of the integrated voice of the whole profession and all or each of its segments both in relation to its own special problems and in relation to educating and directing public opinion on the problems of public health as affecting the community at large.
- (iii) To participate in the conduct of medical education, as may be appropriate.
- (iv) To promote social, cultural and charitable activities in building a united Malaysian nation.
- (v) To participate in, or invest a portion of the Association's funds in any entity, corporation, association, etc by way of joint venture, business partnership, commercial arrangement, transaction and/or any legal means permitted which would be in the interest of the association, and beneficial to, and be advantageous, profitable or calculated directly or indirectly to enhance any or all of the Association's fixed, current, liquid assets, properties, business, investments, commercial arrangements, and rights, provided always that they be not in conflict with the Code of Medical Ethics.

(2) Powers:

In the pursuit and furtherance of the Objects, the Association shall have the following powers:

- (i) To arrange periodical meetings of the members or any segment thereof.
- (ii) To prepare and publish scientific papers, journals and other publications, with the prior approval of the authority concerned.
- (iii) To acquire property by purchase, build or lease or otherwise occupy premises, to deal with such property; to invest such liquid assets as it may have in a proper case borrow as may be necessary.

- (iv) To create a special account or accounts, payments from which shall be at the absolute discretion of the Council, to assist members of the Association or their dependents, provided that no mutual benefit activities as defined under Section 2 of the Societies Act 1966 may be carried out by the Association.
- (v) To collect or otherwise acquire sums of money for educational, scientific and charitable purposes and to establish, manage and maintain a Foundation Fund for such purposes.

ARTICLE III

MEMBERSHIP

The membership of the Association shall consist of the following categories:-

(1) Honorary Membership:

The Association may confer Honorary Membership on those persons who, whether or not registered in the Medical Register, have done exceptional work in the fields of Medicine and allied sciences or have rendered meritorious service in the cause of Medicine and associated sciences or to this Association.

(2) Life Membership:

Life Membership of the Association shall be opened to Ordinary Members who in place of annual subscription to the Association, shall have contributed to the Capital of the MMA Special Savings (Life Investment) Fund established by the Association, an amount determined by the Annual General Meeting from time to time. The annual income, generated by investment of the Accumulated Capital contributions of each member to the Fund shall be irrevocably assigned in perpetuity by the contributor to the Council of the Association to disburse as it deems fit.

(3) Ordinary Membership:

Ordinary Membership shall be opened to every medical practitioner whether registered or provisionally registered or conditionally registered in the Register kept by the Registrar of Medical Practitioners and those terms shall have the meaning assigned to them by the Medical Registration Ordinance currently in force.

(4) Overseas Membership:

Overseas Membership shall be opened to a registered medical practitioner whose permanent residence is outside Malaysia.

(5) Associate Membership:

Associate Membership shall be opened to para Medical Personnel who being qualified in their respective profession legally practise in Malaysia.

(6) Student Membership:

Student Membership shall be opened to registered medical students who are citizens of Malaysia and who are undergraduates in any medical school, provided that no local University or University College student shall be admitted as a member without the prior written approval of the Vice-Chancellor concerned.

(7) Exempt Membership:

Exempt Membership shall be opened to medical practitioners who have been Ordinary Members in good standing of at least 20 years and have attained the age of 65 years.

ARTICLE IV

SUBSCRIPTIONS

- (1) The Annual General Meeting on the recommendation of Council shall determine from time to time the rate of annual subscriptions payable by all categories of members except Honorary Members subject to the prior approval of the Registrar of Societies.
- (2) The subscriptions shall become due and payable on 1st January of each year without any notice from the Association and shall become an undischarged debt due to the Association on the 30th June of the same year.
- (3) If any member shall fail to pay subscription for any year and this failure shall continue to persist on the 30th June of that year, that member shall cease to enjoy all the benefits and privileges available to or enjoyed by members in benefit immediately (and shall not be eligible to attend or vote at any general meeting of the Association) and if such member shall:
 - (i) continue to fail to settle the subscription in arrears for that year when it fell due and the subscription in arrears remain outstanding on the 31st of December of that year, he/she shall automatically cease to be a member of the Association SUBJECT TO ARTICLE VI (1) (ii); or
 - (ii) settle the subscription in arrears for that year when it fell due before the 31st December of that year, all benefits and privileges available to or enjoyed by members in benefit shall be immediately restored and for avoidance of doubt, in such an event, the period of the membership of such member shall not be taken to have been broken by virtue of the cessation of his/her membership prior to his/her settlement of the subscription in arrears within that same year when it fell due.
- (4) A member in benefit is a member who is not in arrears of subscriptions for more than 6 months.

ARTICLE V

PRIVILEGE OF MEMBERSHIP

- (1) The privilege of membership is the participation in all activities arranged or organized by the Association including:
 - (i) the Council and its committees;
 - (ii) the Branch and its Sub-committees;
 - (iii) Sections, Societies and its Sub-committees;

in the context of the objects of the Association, full and adequate notice being given to each member of all such activities.
- (2) Honorary, Associate, Student and Overseas members will enjoy all the privileges of Ordinary/Life and Exempt membership except that of voting or of holding office in the Council and Branch Committees of the Association.
- (3) All members of the Council and officers of the Association including Branches, Sections, Societies, Committees and Representatives to Government and Non-Governmental Organisations shall be Malaysian citizens.

ARTICLE VI

TERMINATION OF MEMBERSHIP

- (1) Termination of membership shall take place in any one or more of the following ways:
 - (i) By clear intention expressed in writing to resign membership for whatever cause.
 - (ii) Automatically on the 31st December of the year when the annual membership subscription falls into arrears for more than 12 months.
 - (iii) Automatically on the day the name of the member is removed from the Medical Register maintained by the Malaysian Medical Council.
 - (iv) By expulsion by the Association acting in accordance with the procedure prescribed by the Code of Ethics and Rules of the Ethics Committee prescribed by the Association and binding on all members.
 - (v) Deleted.

(2) Provided however:

- (i) Termination or Resignation shall not affect any liability to pay the subscription due and payable as on the date of such termination.
- (ii) The Council may in its absolute discretion restore membership terminated under (1) (ii) above upon being satisfied that there were good reasons for the subscription having fallen into arrears, and a tender of all such arrears having been made.
- (iii) In the event of the member being restored to the Register of the Association by the Council he/she shall automatically resume such membership subject to payment of all subscriptions and debts due and payable to the Association.
- (iv) (a) Two years after a member has had his membership of the Association terminated under Article VI (1) (iii) and (iv) and Article VI (3) and By-Law XIII, the member may apply to the Council for reinstatement and restoration of his/her membership privileges and make a case for this in writing.

(b) The Council after studying the member's representations and interviewing the member may restore his/her membership or reject his/her application without assigning any reason.

(c) The member may appeal against the decision of the Council to a Special General Meeting or the Annual General Meeting to reinstate him/her and the decision of the General Meeting shall be final.
- (v) All membership subscriptions already paid shall not be refundable on termination of membership.
- (vi) Members at the 49th AGM, having upon being satisfied that there were good reasons for any anomaly or administrative error resulting in the status of any existing membership, including to (but without affecting the generality of the forgoing) any of the required criteria for Life Membership, and or such deficits in an Ordinary Members' contribution to the Capital of the MMA's Special Savings (Life Investment) Fund, as defined in Article III (2), or any other irregularity, may in their absolute discretion rectify such anomalies or irregularities ("Membership Matters").
- (vii) All such membership which has been ratified in accordance with Article VI (2) (vi) above and any activities carried out by such members prior to this approval shall be considered as legitimate.

This clause, Article VI (2), shall be applicable until 31 May 2010 and thereafter shall be inapplicable to any other similar situation.

- (3) The Executive Committee and the Investigating Committee shall conduct disciplinary inquiries as provided under By-Law XIII.

ARTICLE VII

BRANCHES, SECTIONS AND SOCIETIES OF THE ASSOCIATION

(1) There shall be in each state of Malaysia a branch to be called as follows:

- (i) Kedah Branch
- (ii) Perlis Branch
- (iii) Penang Branch
- (iv) Perak Branch
- (v) Kelantan Branch
- (vi) Terengganu Branch
- (vii) Wilayah Persekutuan Branch
- (viii) Selangor Branch
- (ix) Pahang Branch
- (x) Negeri Sembilan Branch
- (xi) Malacca Branch
- (xii) Johore Branch
- (xiii) Sarawak Branch
- (xiv) Sabah Branch

Each Branch shall be organised in the name of the Persatuan Perubatan Malaysia (Malaysian Medical Association) with the name of the particular Branch expressed in parenthesis after the word Association.

- (2) The Management and control of each Branch shall be under the general supervision of the Association and shall as far as possible conform to a uniform set of regulations as set out in By-Law V.
- (3) The Annual General Meeting is empowered to form and to dissolve special groups of members having distinct professional, social or common interests to be called Sections of the Association which under the supervision of Council shall as far as possible conform to a uniform set of Terms of Reference as set out in By-Law VI (5).
- (4) The Council of the Association is empowered to form Societies to function within the Association for members with special interest, or in a particular discipline of medicine to pursue their interests and research and the Societies comply with the Constitution of the Association and abide by their Terms of Reference as approved by the Council and in accordance to By-Law VI (5).
- (5) Each Branch may form, within its State or Territory, Sub-branches, to be called Chapters, in districts, towns and/or cities, whenever and/or wherever necessary, and each such chapter's management and control shall be under the direct supervision of the branch that forms it, and may have a representative in the branch Management Committee.

ARTICLE VIII

MANAGEMENT OF THE ASSOCIATION

(1) Council

There shall be a Council of the Association which shall function as the principal body of the Association within the guidelines set out in the Articles and By-Laws of the Association.

(2) Composition of Council

(i) The Council shall consist of the following office-bearers and members

- (a) President
- (b) President-Elect
- (c) Immediate Past President
- (d) Honorary General Secretary
- (e) Honorary General Treasurer
- (f) Two Honorary Deputy Secretaries

who shall hold office until the next Annual General Meeting.

(ii) Branch Representatives to the Council

(a) Each Branch shall be entitled to one (1) representative on the Council. Additional representatives for a Branch shall be in accordance with By-Law V (16).

(b) Section Representatives to Council

Each Section, SCHOMOS and PPS shall be entitled to one representative each on the Council. These office bearers shall be elected at the Annual General Meeting of the Section and declared at the Annual General Meeting of the Association and hold office until the next Annual General Meeting of the Association.

(iii) Deleted.

(3) Council Meeting

(i) The Council shall meet at least four (4) times in a year preferably at quarterly intervals and shall make its own Rules of Procedure for its meetings, where there is no provision in the Constitution.

(ii) The President shall preside at all meetings of the Council unless he is disabled by sickness, absence from Malaysia or other cause and in his absence by reason thereof the President-Elect or the Immediate Past President shall preside and in the absence of both the members present shall elect a Chairman to preside over that particular meeting.

- (iii) One-half the total number of the Council members shall form a quorum at its meetings.
- (iv) At least two weeks before the date fixed for the Council Meeting, the Honorary General Secretary shall inform all members of Council in writing of the date, time and venue for the meeting. In the event of an emergency a shorter notice may be given by the Honorary General Secretary after approval by the President.

(4) Executive Committee

- (i) The newly constituted Council shall meet immediately after the Annual General Meeting at which it is elected and shall appoint an Executive Committee of itself which shall consist of the President, the President-Elect, the Immediate Past President, the Honorary General Secretary, the two Honorary Deputy Secretaries, the Honorary General Treasurer, the Chairman of the Sections Concerning House Officers Medical Officers and Specialists (SCHOMOS), the Chairman of the Private Practitioners Section of MMA (PPSMMA).
- (ii) The Executive Committee shall be in charge of the day to day affairs of the Association between the meetings of Council to carry out the mandate of the Council.
- (iii) The Executive Committee shall not be competent to initiate or alter any policy decision of the Council except by way of a recommendation to the Council which may or may not be accepted by the Council having regard to the guidelines set for it by the General Meeting.
- (iv) Should any matter arise which is regarded by the Executive Committee as involving an urgent decision which the Council alone can competently decide it may refer the matter to an urgent meeting of the Council and may provide for any interim measures not involving any prior commitment of the Council. Members of the Council may also be consulted by letter or telephone or facsimile or email as deemed fit by the Executive Committee and confirmed in writing.
- (v) The quorum for an Executive Committee Meeting shall be five (5) members.
- (vi) The Notice for an Executive Committee Meeting shall be one (1) week before the meeting except in Extraordinary Meetings where a shorter notice may be given.

(5) Ethics Committee

- (i) The newly constituted Council shall also at its first meeting appoint an Ethics Committee which shall consist of:
 - (a) The Chairman of the Ethics Committee;
 - (b) The Honorary General Secretary of the Association as the Secretary of the Ethics Committee;
 - (c) and seven other members of the Association.
- (ii) The Ethics Committee shall function within the frame work of the Constitution of the Association and the Code of Ethics and the Rules of the Ethics Committee as approved by the Annual General Meeting of the Association.
- (iii) The Branch Committee may appoint Ethics Sub-Committees in each of the Branches of the Association and may delegate powers in accordance with any of the Rules of the Ethics Committee.

(6) Other Committees

- (i) The Council shall have powers to appoint other Committees and shall decide their Terms of Reference.
- (ii) The quorum for meetings of MMA Committees for which adequate notice has been given should not be less than half the number of members comprising the Committee.
- (iii) The Notice for all Committee meetings shall be one (1) week before the meeting.

(7) Vacancies

The Council or the Executive Committee subject to the ratification of the Council at its next succeeding meeting may fill vacancies in the Council and Committees of Council which are permanent. No decisions of the Council or Committees recorded or taken without the vacancy being filled shall be in valid solely for the reason that the Council or that Committee of Council for the time being was not fully constituted in accordance with these Rules.

ARTICLE IX

OFFICERS OF THE ASSOCIATION

(1) OFFICERS

There shall be the following officers of the Association, namely a President, a President-Elect, an Immediate Past President, a Honorary General Secretary, a Honorary General Treasurer and two Honorary Deputy Secretaries. The officers aforesaid shall be elected in such manner and shall hold office for such term, and shall have and enjoy such duties, powers and privileges as shall be determined from time to time by the By-Laws.

ARTICLE X

GENERAL MEETINGS OF THE ASSOCIATION

(1) The Annual General Meeting

- (i) The Annual General Meeting of the Association is the Principal Body of the Association to administer the Association. The Annual General Meeting shall be held before 30th June each year at a convenient centre in each of the Branches of the Association by rotation, for the following purposes:
 - (a) To confirm and discuss matters arising from the minutes of the previous Annual General Meeting and Special General Meetings held the previous year.
 - (b) To receive from the Council and to adopt a report of the activities of the Association during the year preceding.
 - (c) To receive from the Council and to adopt an audited Statement of Accounts for the preceding year together with reports of the Internal and External Auditors and the budget for the current year.
 - (d) To receive from the Ethics Committee the reports of the activities of the Ethics Committee during the preceding year.
 - (e) To accept and declare as President for the ensuing year the President-Elect of the year preceding.
 - (f) To accept and declare as Immediate Past President, the President of the previous year.
 - (g) To elect the President-Elect for the ensuing year.
 - (h) To elect the Honorary General Secretary for the ensuing year.
 - (i) To elect the Honorary General Treasurer for the ensuing year.
 - (j) To elect two Honorary Deputy Secretaries for the ensuing year.
 - (k) To accept and declare the Branch Representatives to the Council including alternate representative(s) elected by the respective Branches for the ensuing year.
 - (l) To accept and declare the SCHOMOS representative and PPSMMA representative to the Council who have been elected by these Sections under Articles VIII (2) (iii).

- (m) To elect two (2) Honorary Auditors and appoint the External Auditors for the ensuing year.
- (n) To decide on any Resolution to amend the Constitution and on other Resolutions which have been duly submitted to the meeting as provided for, under sub-section (iii) of this Article.
- (o) To decide on the venue of the next Annual General Meeting.
- (ii) At least twelve (12) weeks before the date fixed for the Annual General Meeting of the Association, the Honorary General Secretary shall inform all members in writing of the date, the time, and the place fixed for the Meeting and he shall draw their attention to sub-section 1 (iii) of this Article.
- (iii) Any member desirous of moving any resolution at the Annual General Meeting shall give notice in writing duly proposed and seconded thereof to the Honorary General Secretary not less than eight (8) weeks before the date of such meeting.
- (iv) At least fourteen days before the Annual General Meeting of the Association the Honorary General Secretary shall notify all members of the agenda to be transacted at the Meeting and this shall include a report of the Association the accounts for the financial year and any resolutions which members have indicated their intention of proposing under the previous sub-section of this Article.
- (v) All items on the Agenda for the Annual General Meeting shall be opened for discussion by all members present, but voting on any item shall be confined to accredited delegates only.

(2) Special General Meeting

- (j) (a) A Special General Meeting of the Association shall be convened by the Council at any time for any special reason.
- (c) Upon the receipt of a requisition in writing from one hundred (100) Ordinary Members in Benefit, Life Members and Exempt Members of the Association stating the purpose in the form of one or more resolutions duly proposed and seconded, but devoted to on single topic in each resolution for which they require a Special General Meeting to be convened, the Council shall within two (2) weeks notify all members of the time and venue fixed for the Special General Meeting which shall be convened within 6 weeks from the date of receipt.
- (ii) Notice summoning a Special General Meeting shall be sent to all members not less than fourteen days before the date fixed for such a meeting and shall state the business to be discussed at the meeting.
- (iii) No business shall be dealt with by a Special General Meeting other than that for which it is specially convened.

(3) Delegates

Each Branch of the Association shall send delegates to the Annual General Meeting of the Association as provided for under By-Law V (13).

(4) Quorum

- (i) The quorum at all General Meetings of the Association shall be fifty members of whom at least twenty (20) shall be delegates from branches other than the branch at which the meeting is held.
- (ii) In the event of a lack of quorum on the day fixed for the Annual General Meeting, the President shall postpone the Annual General Meeting to a day not earlier than fourteen days and not later than one month from that day. At the postponed Annual General Meeting the delegates present (whatever their numbers) shall constitute a quorum, provided that no amendment to the Constitution of the Association or decisions affecting the whole membership shall be made if there is insufficient quorum.
- (iii) (a) In the event of a lack of quorum at a Special General Meeting called by the Council the procedure shall be as in Article 4 (ii).

(b) In the event of a lack of quorum at a Special General Meeting summoned at the request in writing by fifty Ordinary Members, Life Members and Exempt Members then the President shall declare the meeting dissolved and no such Special General Meeting shall be convened for the same purpose for a period of six months.
- (iv) No vote shall be taken on any business transacted at General Meetings unless there is a quorum present.

ARTICLE XI

PROCEDURE FOR NOMINATION AND ELECTION OF PRESIDENT-ELECT

The procedure for nomination and election of the President-Elect shall be in accordance with By-Law IX.

ARTICLE XII

TRUSTEES

- (1) (i) All properties of the Association in so far as they relate to immovable property shall be vested in at least four (4) Trustees elected by the Association at a General Meeting, and the Council shall fill vacancies for Trustees as and when they arise, subject to approval at the next Annual General Meeting.

(ii) Trustees shall not be members of Council or Branch Committees.
- (2) Any or all of the Trustees may be removed from office by a resolution passed by a two thirds majority at a General Meeting.
- (3) No documents of purchase, sale or mortgage of immovable property of the Association shall be certified or signed by the Trustees unless a resolution to purchase, sell or mortgage the property has been adopted by a majority of two-thirds of the votes of members present at a Annual General Meeting or Special General Meeting of the Association. Resolutions adopted at a postponed General Meeting shall not be binding on the Trustees if the quorum present at that postponed meeting was less than the quorum prescribed in Article X (4) (i).
- (4) The Trustees shall sign or shall authorise the Honorary General Secretary of the Association to sign Lease Agreements for any land or building owned by the Association.

ARTICLE XIII

PUBLICATIONS

(1) Publications

(i) Journal

A Journal, to be called the Medical Journal of Malaysia, shall be published by or on behalf of the Association, and shall be conducted by a Honorary Editor, who shall be responsible for all that appears therein, except such matters as are inserted in accordance with the Regulations and By-Laws, or by the direction of the Council. The Editor shall be appointed by Council.

(ii) Other Publications

Such lists of medical practitioners, records of transactions and other papers of interest to the medical profession shall be published as and when the Council may think fit.

ARTICLE XIV

PRESS RELEASES

- (1) No press release may be made in the name of the Association or any Branch of the Association or Section or Society or Committee or any group of members of the Association except:
 - (i) by the President of the Association, or;
 - (ii) by the Honorary General Secretary when authorised by the President or by the Council of the Association, or;
 - (iii) by a member of the Council who shall have been previously appointed by the Council to serve as its Public Relations Officer, or;
 - (iv) by an officer of a Branch, Section or Society of the Association provided that all such releases or communications are previously approved by the President.

ARTICLE XV

AFFILIATION

The Association may be affiliated or associated with National Medical Associations outside Malaysia devoted to objects substantially similar to those of the Association.

Any step in this direction shall be taken by a decision of the Council and approved by a General Meeting.

ARTICLE XVI

DISSOLUTION OF THE ASSOCIATION

- (1) The Association shall not be dissolved, except with the consent of not less than three-fifths of the Ordinary/Life members of the Association expressed, either in person or by proxy, at a General Meeting convened for the purpose or by postal vote.
- (2) In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Association shall be fully discharged and the remaining funds shall be either divided equally amongst members or transferred to a medical association or charitable organisation in Malaysia as decided by the majority of the members at a General Meeting convened for the purpose of dissolving the Association or as decided by a postal vote of all the members.
- (3) Notice of the Dissolution shall be given within fourteen (14) days of dissolution to the Registrar of Societies.

ARTICLE XVII

AMENDMENTS TO THE CONSTITUTION

- (1) This Constitution including the Articles and By-Laws, Terms of Reference of Sections, Societies and Rules of the Ethics Committee may be amended, altered or added to after approval at a General Meeting of the Association provided the appropriate notice had been given as in Article X (1) (iii).
- (2) Any such amendment, alteration or addition shall require to be passed by a majority of two thirds (2/3) of the Branch delegates present and voting and provided a quorum is present.
- (3) Any amendments to the Constitution of the Association shall be submitted to the Registrar of Societies within twenty eight (28) days of being passed by the General Meeting and enforced after being approved by the Registrar of Societies.

ARTICLE XVIII

- (1) Save so far as determined by the Constitution the rights and obligations of every category of membership and separate body or special group of members thereof, the appointment, duties, powers, and privileges of all Officers, and of all Council, Committees, and governing and administrative bodies both of the Association and of every Branch, Section and Society, shall be such as may from time to time be prescribed or determined by or in accordance with the By-Law, and the By-Laws may from time to time be added to, amended, altered or repealed by a decision of the Council and approved by a general meeting.
- (2) Amendments to the By-Laws of the Association shall be enforced after being approved by the Registrar of Societies.

**BY-LAWS OF THE
PERSATUAN PERUBATAN MALAYSIA
(MALAYSIAN MEDICAL ASSOCIATION)**

BY-LAWS OF THE PERSATUAN PERUBATAN MALAYSIA (MALAYSIAN MEDICAL ASSOCIATION)

BY-LAW I

(1) NAME OF BRANCH

Each Branch of the Association shall be named after the State or Federal Territory to which it belongs as provided in Article VII (1).

(2) EMBLEM

- (i) All Branches and Sections shall adopt the same Emblem as described in Article 1 (3).
- (ii) The Association may have available for sale to members only items that bear the Emblem such as car badges and the wall crests for clinics. The car badge shall be removed when a member disposes of his car. The wall crest remains the property of the Association and shall be returned to the Association should a member decide not to use it or resigns from membership of the Association or ceases to be a member of the Association under Article VI or Article VIII (4) (v) or By-Law XIII.

BY-LAW II

PROCEDURE FOR ELECTION OF MEMBERS

- (1) All membership except Honorary membership under Article III (1) shall be deemed to be by election and acceptance by the Council of the Association, hereinafter called "The Council". The Council shall not be required to give any reasons for its acceptance or non acceptance of any application for membership.
- (2) All applications for membership shall be in the prescribed form made to the Council.
- (3) Upon the application being accepted by the Council the member shall be deemed to have been elected to the appropriate category of membership for which the application has been made and any applicant so elected shall be entitled to all the privileges of membership and shall be bound by all the Rules of the Association as may be appropriate.
- (4) The Council may delegate the function of considering application for membership and accepting and electing members to any Committee of itself for convenience and speed.
- (5) The power and privilege of proposing to the Annual General Meeting any person for Honorary Membership of the Association is vested in the Council. The Honorary Member proposed shall be elected by a majority of votes at the Annual General Meeting of the Association.

BY-LAW III

SUBSCRIPTIONS

- (1) The rate of annual subscriptions payable by each category of membership shall be:
- (i) Ordinary Members
RM 250.00 per annum
 - (ii) Overseas Members
RM 500.00 per annum
 - (iii) Associate Members
RM 250.00 per annum
 - (iv) Student Members
RM 20.00 per annum

(2) REDUCTION OF SUBSCRIPTIONS

The Council may reduce annual subscriptions for members as follows:

- (a) RM 150.00 for all registered Medical Practitioners in the first 10 years of practice.
- (b) Deleted.
- (c) New members in any category of membership specified in By-Law III (1) (except student members) enrolled in the period 1st July to 31st December, the membership fee is waived. The membership fee paid would be for the following year.
- (d) RM 112.50 (from 1/1/05) and RM 125.00 (from 1/1/07) for New Members in any category of membership specified in By Law III (1) (except student members) enrolled in the period 1 July to 31 December, the reduction being for the year only.
- (e) Deleted.

(3) LIFE MEMBERSHIP CONTRIBUTIONS

- (i) An Ordinary Member can become a Life Member upon paying RM2,500.00 to the capital of the Special Life Investment Fund to be eligible for election by Council as a Life Member. Article III (2) refers.
- (ii) An Ordinary Member who is a spouse of a Life Member shall contribute half of RM 2,500.00 to qualify for Life Membership.
- (iii) Deleted.

(4) MEMBERS NOT GAINFULLY EMPLOYED

The Council may waive annual subscriptions for members who are in good standing and are no more gainfully employed due to illness or disability.

- (5) A medical practitioner who has been an Ordinary member in good standing of at least 20 years and has attained the age of 65 shall be eligible for exemption from further payment of annual subscription of the Association.

BY-LAW IV

ARREARS OF SUBSCRIPTIONS

- (1) If any member shall fail to pay subscription for any year and this failure shall continue to persist on the 30th of June of that year, that member shall cease to enjoy all the benefits and privileges available to or enjoyed by members in benefit immediately (and shall not be eligible to attend or vote at any general meeting of the Association) and if such member shall:
 - (i) continue to fail to settle the subscription in arrears for that year when it fell due and the subscription in arrears remain outstanding on the 31st of December of that year, he/she shall automatically cease to be a member of the Association SUBJECT ALWAYS TO Article VI (1) (ii); or
 - (ii) settle the subscription in arrears for that year when it fell due before the 31st of December of that year, all benefits and privileges available to or enjoyed by members in benefit shall be immediately restored and for avoidance of doubt, in such an event, the period of the membership of such member shall not be taken to have been broken by virtue of the cessation of his/her membership prior to his/her settlement of the subscription in arrears within that same year when it fell due.
- (2) Ordinary Members in arrears of subscriptions for six (6) months on the 30th of June each year shall have their names automatically removed from the Electoral Roll and shall not be eligible to vote. If by 31st December they have yet to pay their dues then the member would have to re-apply to join the association as a fresh member, and the Council needs to approve the membership.
- (3) Members shall be notified by letter of the removal of their names from the membership register.

BY-LAW V

(1) TERRITORY OF BRANCH

- (i) The territory of each Branch shall be the geographical boundaries of each State or Federal Territory, except for the Sabah Branch which shall include Federal Territory of Labuan.
- (ii) The place of work of a member in a State or the Federal Territory shall determine the Branch of the Association to register his/her membership.

(2) FINANCIAL YEAR OF BRANCH

The Financial year of each Branch shall start on January 1st and end on December 31st.

(3) ELECTION OF BRANCH COMMITTEE

- (i) The Branch Committee shall be elected at the Annual General Meeting of the Branch, except in the case of the Sarawak and Sabah Branches where elections may be by postal ballot.
- (ii) The Branch Committee shall take office immediately after the Annual General Meeting of the Association and shall hold office until the next Annual General Meeting of the Association.
- (iii) No member may be elected to the Branch Committee if not present at the Branch Annual General Meeting unless his written consent to serve, certified by the Branch Honorary Secretary has been obtained beforehand and handed in to the Chairman of the Branch.

(4) COMPOSITION OF BRANCH COMMITTEE

- (i) The Branch Committee shall manage the affairs of the Branch as provided in this Constitution and abide by the guidelines of the Council.
- (ii) The Branch Committee shall be composed of the following officers:
 - (a) Chairman
 - (b) Vice-Chairman
 - (c) Branch Honorary Secretary
 - (d) Branch Honorary Treasurer
 - (e) Chairman of SCHOMOS Sub-Committee
 - (f) Chairman of PPSMMA Sub-Committee
 - (g) and not more than five other members
- (iii) The Chairman shall hold office for not more than two (2) consecutive terms.

(iv) Vacancies in Branch Committee

In the event of a vacancy amongst any of the following:

- (a) Chairman - The Vice-Chairman shall take over as acting Chairman for the remaining term of office.
- (b) Vice-Chairman - The Branch Committee shall nominate one of the members to act as the Vice-Chairman.
- (c) Honorary Secretary - The Branch Committee shall nominate one of the members to act as the Honorary Secretary for the remaining term of office as allowed for under By-Law V (6) (iv).
- (d) Honorary Treasurer - The Branch Committee shall nominate one of the members to act as the Honorary Treasurer for the remaining term of office as allowed for under By-Law (6) (iv).
- (e) Committee members - The Branch Committee shall appoint Branch members to fill the vacancy.
- (v) The Branch Honorary Secretary shall inform the Council when vacancies are filled in the Branch Committee.
- (vi) All members of the Branch Committee and every officer performing executive functions in the Branch shall be Malaysian citizens.

(5) DUTIES OF BRANCH OFFICERS

- (i) The duties of the Officers of the Branch shall be the same as their counterparts in the Council with modifications for the efficient working of the Branches and shall be in harmony with the Articles and By-Laws of the Constitution.
 - (ii) The Branch Honorary Treasurer shall maintain an inventory of all assets and properties of the Branch.
- (6) The duties and powers of the Branch Committee shall be:
- (i) (a) To prepare and submit to the Branch Annual General Meeting the budget of the Branch for the ensuing year;
 - (b) Based on the approved Branch Budget to obtain the Grant for the Branch from the first (1st) Meeting of the Council of the Association and;
 - (c) To use the grant from the Council and or its own existing funds to provide services to Branch Members, subject to the following guideline;
 - any one expenditure above RM 5,000.00 requires approval at an AGM or EGM of the Branch.

- (ii) To manage the affairs of the Branch and arrange clinical, scientific and social meetings for the benefit of the members of the Branch.
 - (iii) To ensure that the common policy of the Council of the Association is carried out at Branch level and to convey views of the Branch members to the Council.
 - (iv) To fill vacancies in the Branch Committee and Branch Representatives to the Council.
 - (v) (a) To prepare the Branch Annual Report together with an audited Statement of the Branch Annual Accounts to present to the Annual General Meeting of the Branch and;

(b) To submit the adopted Branch Report and Financial Statement to the Council of the Association within seven (7) days after the Branch Annual General Meeting to print in the Annual Report of the Association.
 - (vi) To appoint sub-committees within the Branch with their Terms of Reference.
- (7) Branch Committee Meeting shall be held at least once in three (3) months.
- (8) The Quorum for Branch Committee Meetings shall be half the number of Branch Committee members.
- (9) The Branch Annual General Meeting shall be held before 30th April of each year but not less than two (2) months before the National Annual General Meeting.

(10) NOTICE FOR BRANCH ANNUAL GENERAL MEETING

- (i) The Branch Honorary Secretary shall send to all Branch members the Notice of the Branch Annual General Meeting at least four (4) weeks before the meeting.
- (ii) In the notice, the Branch Honorary Secretary shall draw the attention of all members to By-Law V (10) (iii) on the notice required to submit resolutions.
- (iii) Any member desirous of moving any resolutions at the Annual General Meeting of the Branch shall give notice in writing thereof duly proposed and seconded to the Branch Honorary Secretary not less than twenty-one (21) days before the date of such meeting.
- (iv) At least fourteen (14) days before the Annual General Meeting of the Branch, the Branch Honorary Secretary shall notify all members of the agenda to be transacted at the meeting, and this shall include any Resolutions from members, the Annual Report and Audited Accounts and Budget of the Branch, the Minutes of the previous Annual General Meeting of the Branch and the Annual Reports of the Branch SCHOMOS and PPSMMA Sections.

(11) AGENDA: BRANCH ANNUAL GENERAL MEETING

The Agenda for the business of the Branch Annual General Meeting shall include:

- (i) To confirm and adopt the minutes of the last Branch Annual General Meeting.
- (ii) Matters arising from the minutes.
- (iii) To receive and adopt the Annual Report of the Branch.
- (iv) To receive and adopt the Annual Reports of the Branch SCHOMOS and PPS.
- (v) To receive and adopt the audited Statement of Accounts.
- (vi) To elect Branch office bearers for the ensuing year in accordance to By-Law V (4) (ii).
- (vii) To elect the Branch Chairman of SCHOMOS by SCHOMOS members voting.
- (viii) To elect the Branch PPS Chairman by PPS members voting.
- (ix) To elect from the newly elected office bearers, the Branch Representative(s) (including alternate representative(s) to the Council for the ensuing year.
- (x) To appoint delegates to the Annual General Meeting of the Association in accordance with Article X (3).
- (xi) To appoint two Honorary Auditors who are not members of the Branch Committee.
- (xii) To deal with and vote on any other business on which twenty one (21) days notice has been given by a member to the Branch Honorary Secretary.

(12) SPECIAL GENERAL MEETING

- (i) A Special General Meeting of the Branch shall be convened by the Branch Committee at anytime for any special reason, upon the receipt of a requisition in writing from at least twenty five (25) Ordinary Members in Benefit, Life Members and Exempt Members of the Branch stating the purpose in the form of one or more Resolutions but devoted to one single topic for each Resolution.
- (ii) The Branch Committee shall within fourteen (14) days notify all members in the Branch of the time and venue fixed for the Special General Meeting to consider the Resolutions.
- (iii) Notice summoning a Special General Meeting shall state the business to be discussed at the meeting as provided in the above said Resolutions.
- (iv) No business shall be dealt with by a Special General Meeting other than that for which it is specially convened.

(13) PROCEDURE FOR ELECTION OF DELEGATES

- (i) Each Branch of the Association shall appoint delegates to the Annual General Meeting of the Association appointed on the basis of one (1) delegate to ten (10) Ordinary/Life/Exempt members in the Branch. Members of the Council shall automatically be elected as delegates to the Annual General Meeting at their respective Branch Annual General Meetings.
- (ii) These delegates shall be Ordinary Members in benefit and or Life Members, and shall be appointed at the Annual General Meeting of the Branch and their names shall be forwarded to the Honorary General Secretary of the Association within seven (7) days after the Branch Annual General Meeting.
- (iii) In the event of the lesser number being nominated at the Branch Annual General Meeting, to Branch entitlement, additional delegates shall be appointed at the said meeting in order of registration.

(14) QUORUM

The quorum at a Branch General Meeting shall be one-half of the Life and Ordinary Members in the Branch who are in benefit or the above said members who should be twice the number of Branch Committee Members.

(15) MINUTES OF BRANCH GENERAL MEETING

The Branch Honorary Secretary shall make a summary record of proceedings at the Branch General Meeting which shall be approved by the Branch Chairman and circulated to all members within thirty (30) days of the meeting. Any amendments to the minutes by Branch members shall be sent in within fourteen (14) days of the receipt of the minutes.

(16) BRANCH REPRESENTATIVES TO COUNCIL

A Branch which has a membership exceeding 500 in number shall be entitled to elect and additional representative on Council. Such a Branch representative shall be elected at Branch Annual General Meetings.

(17) HANDLING OVER BRANCH PROPERTY

All recorded assets and properties of the Branch shall be duly handed over by the Outgoing Committee to the In-Coming Committee before the Annual General Meeting of the Association.

BY-LAW VI

MANAGEMENT OF THE ASSOCIATION

(1) COUNCIL

It shall be the duty of the Council members to collectively administer the affairs of the Association within the guidelines as set out in the Articles and By-Laws of the Constitution of the Association, and policies approved by General Meetings of the Association.

(2) DUTIES AND POWERS OF THE COUNCIL

- (i) The Council shall have power to appoint, pay and dismiss any staff employed by the Association.
- (ii) The Council shall publish an audited Statement of Accounts for the financial year for circulation to all members two (2) weeks before the Annual General Meeting.
- (iii) The financial year shall start on January 1st and end on December 31st.
- (iv) (a) The Honorary General Treasurer and/or the Honorary General Secretary are authorised to approve every item of expenditure below and up to RM3,000/-
 - (b) The Executive Committee shall approve every item of expenditure between RM3,000/- to RM10,000/-
 - (c) The Council shall authorise and approve every item of expenditure above RM10,000/- and below RM250,000/- from the funds of the Association.
 - (d) A General Meeting shall approve by a two-third (2/3) majority, every item of expenditure above RM250,000/-
- (v) The Council shall allocate periodically to the Honorary General Treasurer and the Honorary General Secretary an imprest of RM2,000/- each to be used for the management expenses of the Association, and all expenses incurred from the imprest shall be submitted to the Executive Committee for approval.
- (vi) All proposals by the Council to purchase, sell, mortgage or pledge any immovable property belonging to the Association or investment of MMA funds by any other financial institutions or appointed body by Council shall be referred to a General Meeting of the members for approval.
- (vii) The Council shall delegate to a paid Secretary/Treasurer such duties of the Honorary General Secretary and of the Honorary General Treasurer as the Council shall from time to time decide.

- (viii) The Council shall recommend new By-Laws or amendments to the Constitution for the consideration of the Annual General Meeting in the manner prescribed under Article X (1) (iii).
- (ix) The Council shall advise the Branches in matters of policy affecting the medical profession with view to promoting a common policy throughout all the Branches of the Association.
- (x) The Council shall act on behalf of the Association in all matters whereon this Constitution does not expressly provide, such actions being subject to approval at the next Annual General Meeting of the Association.
- (xi) The Council shall at its first meeting during the year, allocate to each Branch, Section and Society in accordance with its requirements and budget, a sum of money for the expenses of the Branch, Section or Society during the year.
- (xii) The Council shall grant and approve the expenditure of the Branches.
- (xiii) The Council shall on any question of major importance decide whether a postal vote shall be taken to assess the opinion of the general body of members.

(3) FUNCTIONS OF THE ETHICS COMMITTEE

The functions of the Ethics Committee shall be:

- (i) (a) To implement the Ethics Code and Rules of the Ethics Committee and to publicise and explain the Ethics Code to members of the profession and bring amendments to the Code for ratification at the Annual General Meeting of the Association.
- (b) To act as an advisory body to the medical profession on all ethics matters.
- (c) To act as a conciliatory body, between members of the Association, and between members and non-members who may be in dispute over ethical matters.
- (d) In accordance with Article II (1) (i) of this Constitution to educate members of the profession, to maintain the honour and interest of the profession, and to report to the Malaysian Medical Council all cases which come to its knowledge, of allegations of infamous conduct in a professional respect, for investigation by the Malaysian Medical Council whether the doctor or doctors involved are members of the Association or not.
- (ii) The Ethics Committee is empowered to investigate, judge and take such action as it deems fit on any complaint about breach of ethics by any registered member of the Association.

- (iii) Other functions of the Ethics Committee shall be as the prescribed Rules of the Ethics Committee. (Appendix I)

- (4) The Terms of Reference of special groups of MMA shall be as follows: (see attached Terms of Reference.)
 - (i) Appendix II Private Practitioner Section of MMA.
(PPSMMA)

 - (ii) Appendix III Section Concerning House Officers, Medical Officers and Specialists,
(SCHOMOS)

 - (iii) Appendix IV Societies
Terms of Reference of Societies within MMA.

BY-LAW VII

OFFICERS OF THE ASSOCIATION

(1) THE PRESIDENT

- (i) The President shall take the Chair at all General Meetings of the Association and all meetings of the Council.
- (ii) The President shall have the right to call meetings of the Council.
- (iii) The President shall have a casting vote in addition to his vote as member.

(2) THE PRESIDENT-ELECT

All duties, powers and responsibilities of the President shall, in his absence, devolve upon the President-Elect.

(3) THE IMMEDIATE PAST-PRESIDENT

All duties, powers and responsibilities of the President shall in the absence of the President and the President-Elect devolve upon the Immediate Past President.

(4) DUTIES OF THE HONORARY GENERAL SECRETARY

- (i) (a) The Honorary General Secretary shall be the Chief Executive Officer of the Association.
- (b) He shall together with the staff of the Association take action on all decisions of the General Meetings, the Council and Executive Committee.
- (c) He shall be responsible for all correspondence of the Association with Branches, Sections, Societies and with members, and in consultation with the Executive Committee or Council for all external correspondence of the Association.
- (d) He shall together with the staff of the Association, keep a computerised Register of all members, and of all Branches of the Association for inspection by the Registrar of Societies.
- (e) He shall together with the staff of the Association, keep records of the correspondence, the files and activities of the Council and the Association.
- (f) He shall call meetings of the Council and the Executive Committee on dates decided by these bodies or when necessary.
- (g) He shall be the custodian of the Minute Books of the Association.

- (h) He shall keep the Branches, Sections, Societies and members of the Association informed of decisions made by the Executive Committee, Council and General Meetings.
- (i) He shall delegate some of this duties except the duties of his post in the Ethics Committee to the Honorary Deputy Secretaries who may deputise for him when necessary and report to him.
- (ii) The Honorary General Secretary shall be duly registered with the Registrar of Societies as the Public Officer of the Association. He shall sue and be sued on behalf of the Association on any legal matters.

(iii) Minutes

The Honorary General Secretary shall make a summary record of all General Meetings which shall be approved by the President and then circulated to all members within one month of the meeting. Any amendments should be sent in within fourteen (14) days of receipt of minutes of such meeting.

- (iv) The Honorary General Secretary may be given such clerical and other assistance as the Council or Executive Committee may from time to time decide.

(5) THE HONORARY DEPUTY SECRETARIES

The Honorary Deputy Secretaries shall assist the Honorary General Secretary and deputise for him and shall be responsible for any other duties delegated to him by Council, Executive Committee or the Honorary General Secretary.

(6) DUTIES OF THE HONORARY GENERAL TREASURER

- (i) (a) The Honorary General Treasurer shall be the custodian of the funds and accounts of the Association and shall be accountable to the Executive Committee, Council and the General Meetings.
- (b) He shall collect the subscriptions of members and all other income of the Association and issue receipts promptly.
- (c) He shall pay all out goings of the Association as approved by the Executive Committee and Council and keep an account of petty cash expenses.
- (d) He shall prepare a monthly Statement of Accounts of the Association to present to the Executive Committee and Council and present to Council a half-yearly audited accounts of the Association.
- (e) He shall present an annual audited accounts to the Annual General Meeting of the Association together with the reports of the Internal and External Auditors.

BY-LAW VIII

ANNUAL GENERAL MEETING OF THE ASSOCIATION

(1) VENUE

The venue of the Annual General Meeting shall be at a convenient centre and rotated among the Branches of the Association as far as possible.

(2) ANNUAL GENERAL MEETING

Where possible the Annual General Meeting:

- (i) shall be held during the school holidays and on a Friday, Saturday and or Sunday.
- (ii) shall not coincide with any games or other non business programmes organised in conjunction with the Annual General Meeting.
- (iii) shall not coincide with a major national event or festival.

(2A) REGISTRATION FEE

- (i) There shall be no registration fee for the business session of the Annual General Meeting.
- (ii) The registration fee for the social part of the Annual General Meeting shall be RM100.00.

(3) ORGANISING COMMITTEE

- (i) The Organising Committee shall preferably be comprised of members of the Branch hosting the Annual General Meeting for the year.
 - (ii) The Chairman of the Organising Committee shall be the Incumbent Chairman of the Branch at the time of the Annual General Meeting.
 - (iii) The Organising Committee shall be responsible for all arrangements to facilitate the preparation of the Annual General Meeting as specified in Article X (1).
- (4) The Annual Games, the Annual Dinner and the Annual Informal Night and other programmes shall be held in conjunction with the Annual General Meeting.

(i) Annual Games

- (a) The games shall be golf, tennis, badminton and any other games as determined by the Organising Committee and approved by Council.
- (b) The expenditure involved shall be raised by the appointed coordinator of the game and Council may provide financial assistance.
- (c) The games shall be open to all categories of membership.

(ii) The Annual Dinner shall be held during the period of the Annual General Meeting.

- (a) Guest of Honour – The main Guest of Honour shall be the incumbent Head of the State of Territory whenever possible in which the Annual General Meeting is held.
- (b) Other Guests of Honour and guests to be invited shall be determined by the Organising Committee with the approval of the Council.
- (c) High Table: Only the President, President-Elect and Immediate Past President together with their spouses shall be allotted seats at the High Table, together with the Guests of Honour.

(iii) Informal Night

This shall be open only to members and their spouses/partners. No other guests shall be invited except with the approval of the Organising Committee.

(iv) Other Programmes

The Organising Committee may also organise in conjunction with the Annual General Meeting the following programmes:

- (a) Scientific meetings, forums or seminars on current issues affecting the profession. The participants of this shall be at the discretion of the Organising Committee and Council.
- (b) Exhibitions – this may be trade or scientific exhibitions.
- (c) Ladies and children's programme.
- (d) Tours, visits to places of interest, etc.
- (v) The Association's Secretariat may assist the Organising Committee in raising funds through advertisements in the Souvenir Programme.

BY-LAW IX

PROCEDURE FOR APPOINTMENT OF ELECTIONS COMMITTEE AND ELECTION OF PRESIDENT-ELECT, HONORARY GENERAL SECRETARY, HONORARY GENERAL TREASURER AND TWO HONORARY DEPUTY SECRETARIES

(1) Elections Committee

The Council shall, at its second meeting appoint an Elections Committee of five members who are neither members of Council nor of Branch Committee for the purpose of conducting elections and to look into complaints regarding nominations, manifestos and elections of the principle office bearers and to make the necessary recommendations to Council. Council shall also appoint a Chairman and a Secretary from amongst these five members.

- (2) The election for the post of the:
- (a) President-Elect
 - (b) Honorary General Secretary
 - (c) Honorary General Treasurer
 - (d) Two Honorary Deputy Secretaries

of the Association shall be carried out at the Annual General Meeting and all delegates shall be eligible to vote.

The Branches of the Association shall be grouped into 4 regions as follows for the purpose of electing the President-Elect:

- (i) Northern Region - Kedah, Perlis, Penang and Perak
- (ii) Central Region - Wilayah Persekutuan and Selangor
- (iii) Southern Region - Johor, Melaka and Negeri Sembilan
- (iv) Eastern Region - Kelantan, Pahang, Terengganu, Sabah and Sarawak

- (3) Nomination for President-Elect, Honorary General Secretary, Honorary General Treasurer and the two Honorary Deputy Secretaries shall be on a prescribed form which must bear the consent of the candidate concerned.

(4) Eligibility for Nomination

- (i) Nominations for the post of President-Elect shall be opened to all Life and Ordinary members of at least five (5) years standing and who shall have served in Council or Branch Committee for at least two (2) years.
- (ii) Nominations for President-Elect, Honorary General Secretary, Honorary General Treasurer and the two Honorary Deputy Secretaries shall be opened to all Life and Ordinary members of the Association.

- (iii) The President-Elect will be elected annually. The candidate shall be from each of the regions [By-Law IX (2)] in rotation, alternating with that from All regions.

The President-Elect's post will alternate yearly between the specified regions and All regions, starting with a candidate from the Northern Region, followed in sequence as follows from All Regions, the Southern Region, All Regions, the Eastern Region, All Regions, the Central Region, All Regions, the Northern Region and so on.

- (5) (i) The Secretary of the Elections Committee shall make the necessary announcement in the publication(s) of the MMA by January of the particular year calling for nominations for the post of President-Elect, Honorary General Secretary, Honorary General Treasurer and Two Deputy Secretaries. Nominations must be submitted on the prescribed nominations papers for the particular year to the Secretary of the Elections Committee not less than eleven (11) weeks before the Annual General Meeting at which such elections will be held. Candidates wishing to withdraw the nominations can do so within seven (7) days after the closing date of nominations. The tenure of office for the post of Honorary General Secretary and Honorary General Treasurer should not be more than five years continuously.
- (ii) The Elections Committee shall send out all names received to every member whose name is on the "Electoral-Roll" of the Association seven (7) weeks before the date of the Annual General Meeting of the Association. The "Electoral-Roll" shall consist of all Life Members and Ordinary Members whose membership has not been terminated under Article VI (1).
- (iii) Deleted.
- (iv) Deleted.
- (v) Deleted.
- (vi) The official results of the election for the President-Elect, Honorary General Secretary, Honorary General Treasurer and the two Honorary Deputy Secretaries shall be announced at the Annual General Meeting by the Chairman or a member of the Elections Committee.
- (vii) Should there be only one candidate for any post, that candidate shall be declared elected for the post for the ensuing year.
- (viii) In the event of a tie, there shall be a fresh voting for the post at the same Annual General Meeting.
- (ix) Deleted.

(x) Deleted.

(xi) The Elections Committee with the approval of Council may make further rules necessary for the proper conduct of the elections.

BY-LAW X

PROCEDURE FOR NOMINATION AND ELECTION OF HONORARY DEPUTY SECRETARY

Nomination for the posts of Honorary Deputy Secretaries must be duly proposed and seconded by the delegates present at the Annual General Meeting. No member may be elected if not present at the AGM unless his written consent to serve has been obtained beforehand and handed to the President. Balloting shall be carried out at the Annual General Meeting and all delegates shall be eligible to vote.

BY-LAW XI

(1) DUTIES OF THE HONORARY EDITOR OF MEDICAL JOURNAL OF MALAYSIA

- (i) The Honorary Editor shall be responsible for the publication of such journals, periodicals and proceedings of the Scientific Meetings of the Association, as the Council may from time to time decide.
- (ii) The Honorary Editor shall be assisted in his duties by an Editorial Board, which shall be appointed by the Council.

(2) EDITORIAL BOARD OF BERITA MMA

- (i) The members of the Editorial Board shall be appointed by Council in consultation with the Honorary Editor.
- (ii) The Honorary General Secretary or either one of the Honorary Deputy Secretaries shall be an Ex-officio member of this Board.

(3) OTHER PUBLICATIONS

The Editor of all publications shall be appointed by the Council and the conduct of such publications shall conform to the policies of Council.

BY-LAW XII

DUTIES OF EXTERNAL AUDITORS

(1) DUTIES OF EXTERNAL AUDITORS

The External Auditors shall make a professional audit of the MMA accounts twice a year and report to the MMA Council on the standards and correctness of accounts keeping and shall inspect MMA records and the budget to ensure that all expenditure was authorised and all dues were collected.

(2) DUTIES OF HONORARY AUDITORS

- (i) The Honorary Auditors shall inspect not less than twice a year the financial books of the MMA, the minutes authorising expenditure, the records of the assets of the MMA, and shall submit an audit report to the Annual General Meeting of the Association, after a copy has been extended to the MMA Council. The Honorary Auditor's report shall comment on the following:-
 - (a) The MMA accounts to ensure that the administration is cost effective.
 - (b) The budget control.
 - (c) How the manpower, materials and other MMA resources were used.
 - (d) Any waste, misuse, losses of MMA resources and property.
 - (e) The purchases made by the MMA to ensure that prices paid were reasonable.
- (ii) The Honorary Auditors are empowered to make an audit as and when necessary and make recommendations to the Council. They shall make special audits at the request of Council, the Executive Committee or Honorary General Treasurer.
- (iii) The Honorary Auditors shall investigate irregularities and make recommendations to Council.
- (iv) In the audit, the Honorary Auditors shall liaise with the External Auditors before a report is extended to the MMA Council and to the Annual General Meeting of the Association.

BY-LAW XIII

(I) Disciplinary Inquiries on Complaints against Members by Members

- (a) An inquiry shall be undertaken by the Executive Committee as it deems fit on complaints received against a member of the Association.
- (b) Any complaint against a member shall be addressed in writing to the Honorary General Secretary of the Association.
- (c) The Honorary General Secretary shall refer all matters on breach of ethics to the Ethics Committee.
- (d) On all other complaints the Honorary General Secretary shall present the complaint to the Executive Committee at its next meeting.
- (e) The Executive Committee shall discuss the complaint and decide whether there is a need to hold an inquiry.
- (f) If the inquiry is not necessary the Honorary General Secretary shall reply to the complainant explaining why. If the complainant is not satisfied with the decision of the Executive Committee, the complainant may appeal to MMA Council.
- (g) If there is a case for inquiry then the Executive Committee shall refer the matter to the Investigating Committee (IC) which will constitute of three (3) members of the Association who are not members of the Council.
- (h) The (IC) shall hold the inquiry within thirty (30) days and in the presence of the complainant and the member complained against who shall be given the opportunity to exculpate himself.
- (i) The Executive Committee on receiving the report from the (IC) shall submit its recommendation to the MMA Council at its next meeting.
- (j) The Council on receiving the recommendation of the Executive Committee shall exonerate the member or terminate or suspend the membership or warn the member concerned.
- (k) Appeals against the decision of the Council may be made to the Annual General Meeting or a Special General Meeting of the Association.

(II) Disciplinary Inquiry on complaints raised against a Member by the Delegates of the Annual General Meeting

- (a) If a complaint is raised against a member at the Annual General Meeting, the House may at its discretion, set up an Investigating Committee of three members who shall be determined by the House.
- (b) The Investigating Committee shall then function as per By-Law XIII (I) (h), (i), (j), (k).
- (c) The decision of the AGM shall be final.

APPENDIX I**RULES OF THE ETHICS COMMITTEE****Rule 1**

- (i) Where a complaint is brought to the notice of the Honorary General Secretary of the Association regarding the professional conduct of a member of the profession, a direction shall be obtained from the Chairman of the Ethics Committee as to whether in his opinion there is a prima facie for investigation by the Association. If the complaint is unsigned or does not contain the original newspaper cutting (in the case of a complaint relating to alleged advertising), the Secretary will write to the complainant to rectify such defects before proceeding further on any complaint. All anonymous complaints i.e. without a name or contact address will not be further acted upon, save at the discretion of the Ethics Committee in matters of serious concern to the Association. The Secretary shall keep the Chairman of the Ethics Committee informed of all correspondence on matters related to the Ethics Committee.
- (ii) Deleted.
- (iii) Deleted.
- (iv) Deleted.

Rule 2

Complaints regarding the professional conduct of individual members of the profession shall be considered by the Ethics Committee in the following circumstances:

- (i) Upon reference from a Branch Committee.
- (ii) Upon a report being made to the Council of the Association by a Branch Committee that the propriety of a member of the Association remaining a member may be called into question.
- (iii) Upon a report from a member or non-member of the Malaysian Medical Association or a member of the public, whether the complainant is personally affected or not.
- (iv) Deleted.

Rule 3 – Deleted.

Rule 4

An investigation regarding the professional conduct of a member of the profession may be held either at an ordinary meeting of the Ethics Committee or at a special meeting, at the discretion of the Chairman of the Committee. Not less than twenty one days notice of the meeting shall be given to every member of the Committee and to all parties concerned.

Rule 5

- (i) In cases other than appeal to the Council of the Association:
 - (a) The Honorary General Secretary of the Association shall inform the respondent that a complaint regarding his conduct is to be brought to the notice of the Ethics Committee and shall invite him to submit his written observation on the matter or to supplement any explanation he has given on a previous occasion. If a reply is not received within 14 days a further two reminders will be sent by AR Registered post.
 - (b) Deleted.
 - (c) Each party shall send to the Honorary General Secretary not less than 14 days prior to the date of the meeting of the Committee at which the complaint is to be investigated copies of all documents on which he intends to rely. Except with the consent of the Chairman and of the other party, no other documents shall be considered but it may be considered or heard at an adjourned meeting.
 - (d) If there is no response after fourteen days, further two reminders will be sent by AR Registered post. If there is still no response, the Ethics Committee shall deliberate on the case and may forward the complaint to the regulatory authorities, if appropriate.
 - (e) The Committee shall investigate the facts of the case and shall take such evidence as shall be deemed by the Committee necessary for the purpose.

- (ii) IN CASES OF APPEAL
 - (a) The Honorary General Secretary of the Association shall inform both the complainant and the respondent that the appeal is to be considered by the Council of the Malaysian Medical Association and shall invite them to supplement any observation or explanations given on any previous occasion in writing.
 - (b) Paragraphs (i) (b) shall apply to the Council of the Association when hearing an appeal.
 - (c) Paragraphs (i) (c) shall apply only as regards documents not relied on before the Ethics Committee.
 - (d) No party shall be entitled to adduce evidence additional to that called before the Ethics Committee by whom the case has previously been investigated without the permission of the President of the Council. Any application for permission to adduce additional evidence shall be made to the Hon. Gen. Secretary not less than 14 days before the date fixed for the hearing of the appeal.

- (iii) Legal assistance either paid or unpaid is not permitted on either side at the hearing, but the President may allow any person concerned in the investigation to be assisted in

presenting his case by a colleague who, except by permission of the Council, shall not be permitted to address the Council.

Rule 6

Where the case is one affecting only the parties concerned it shall be competent for the Committee after due inquiry and investigation of the case under these Rules to approach both the complainant and the respondent with suggestions or advice regarding an amicable resolution of the dispute for their acceptance. This may include referral for arbitration or mediation with the consent of both parties. If all parties adopt and subsequently put into effect such suggestions or advice the Committee may at its discretion, declare the case to be finally resolved. On receipt of information that such suggestions or advice have not been put into effect, the Committee shall with the permission of the Chairman, further consider the case at a further meeting of which notice shall be given under Rule 4 and for which the procedure shall be as laid down in Rule 5.

Rule 7

The Committee or Council shall, subject in Rule 6 after due investigation adopt a resolution in one of the following forms or in such other form as it may consider appropriate:

(I) IN ALL CASES OTHER THAN CASES OF APPEAL

- (i) That in the opinion of the Committee the complaint has not been established, and that the case be dismissed.
- (ii) That in the opinion of the Committee there has been no violation of the Articles, Rules (or Resolutions) of the Association or Branch, or of the generally accepted principles of professional conduct, and that no action be taken.
- (iii) That in the opinion of the Committee the complaint is frivolous, and that the case be dismissed.
- (iv) That in the opinion of the Committee.....has committed an indiscretion and error of judgement in that he has.....but that his conduct does not call for censure.
- (v) That in the opinion of the Committee.....has violated:
 - (a) the Articles, Rules (or Resolutions) of the Association;
 - (b) the generally accepted principles of professional conduct in that he has but that, in consideration of faults on the part of others concerned, the case be dismissed.

- (vi) That in the opinion of the Committeehas violated.
 - (a) The Articles, Rules (or Resolutions) of the Association;
 - (b) The generally accepted principles of professional conduct, in that he has and that he be and hereby be referred to the Malaysian Medical Council.

- (vii) That in the opinion of the Committee the conduct of has been (or is)
 - (a) in violation of the Articles, Rules (or Resolutions) of the Association;
 - (b) detrimental to the honour or interests of the Association (and);
 - (c) detrimental to the honour or interest of the medical profession in that he has and (if a member) resolve that he be informed of this finding of the Committee and allowed until to consider his position; that the Honorary General Secretary of the Association be instructed to report in due course to the Committee upon his reply if any, and that, if upon, such further report the Committee shall consider his reply unsatisfactory, or if no reply be received within the time specified, it be recommended to the Council of the Association that the Council in the exercise of its power under the Articles of the Association do expel from membership of the Malaysian Medical Association.

- (viii) That it is recommended to the Council of the Association that the Council in the exercise of its powers under the Articles of Association do expel from membership of the Malaysian Medical Association.....of.....a member of the.....Branch, on the ground that his conduct is deemed by the Council to have been (or to be):
 - (a) detrimental to the honour and interests of the Association (and);
 - (b) detrimental to the honour and interest of the medical profession (and);
 - (c) calculated to bring the profession into disrepute;
 - (d) such that he has willfully and persistently refused to comply with the Regulations of the Association.

In all cases in which a resolution is adopted by the Committee in terms of one of the alternatives contained in sub-paragraph (vii) to (ix) hereof the Committee shall prepare a statement for the information of Council and such statement shall consist of the following:

- (i) all necessary particulars concerning the parties and date and place of investigation, the nature of the evidence adduced before the Committee and such other matters of a like nature as the Committee shall think proper.

- (ii) a summary of the facts of the matter in dispute as found by the committees to have been proved and;
- (iii) a statement of the inferences (if any) material to the issues in dispute drawn by the Committee from such facts.

(II) IN ALL CASES OF APPEAL EITHER

- (i) a resolution that the Council of the Association uphold the decision of the Committee and dismiss the appeal, or
- (ii) a resolution, in one of the forms set out above sub-paragraph (i), (ii), (iii), (iv), (v), (vii), (viii) and (ix) and in addition to one of the following resolutions:
 - a. that the appeal be allowed;
 - b. that the appeal be dismissed;
 - c. that the decision of the Committee be modified accordingly.

Rule 8

A copy of any resolution of the Committee adopted under Rule 7 shall be sent by the Honorary General Secretary of the Association to the complainant and the respondent and to the Hon. Gen. Secretary of such branch (if any) as the Committee shall resolve to be directly concerned for the confidential information of the members of the Executive Committee of such branch as the Committee shall.

Rule 9

Save where the Committee has adopted a Resolution in terms of Rule 7 (I) (viii) if a medical practitioner shall make amends or express regret in writing to the satisfaction of the Ethics Committee it shall be competent for the Committee subsequently by resolution to rescind any Resolution passed under Rule 7 and to pass such further Resolution (if any) as may appear to them appropriate in all the circumstances.

Rule 10

The Resolution of the Committee upon a case, other than a case where the Committee has adopted a Resolution in terms of Rule 7 (I) (vii), (viii) or (ix) shall be final unless new facts shall subsequently be brought forward which, in the opinion of the Committee, justify the case being reopened. In a case where the Committee has adopted a Resolution in terms of Rule 7 (I) (vii), (viii) or (ix) such resolution shall be final unless the case is referred back to the Committee by the Council and upon any reference back by the Council it shall be opened to the Committee to rescind such resolution and to pass such further Resolution (if any) as may appear to them appropriate in all the circumstances.

Rule 11

- (i) In any case where the Committee has adopted a Resolution in terms of Rule 7 (I) (vii), (viii), or (ix) the Honorary General Secretary of the Association shall communicate in writing with the respondent and the Honorary General Secretary of the Branch of which the respondent is member informing them of the date on which the Resolution will be considered by the Council and inviting them to submit prior to such date for the confidential information of the Council.
 - (a) In the case of the respondent any representation which he desires to place before Council;
 - (b) In the case of the Honorary Secretary of a Branch any report which the Executive Committee of the Branch shall resolve to place before the Council in mitigation of the conduct of the respondent which report may refer to the character and status of the respondent and any matter which such Branch Committee consider would further its purpose.
- (ii) Such communication from the Honorary General Secretary of the Association shall wherever reasonably practicable be sent so as to give both to the respondent and to the Honorary Secretary of the Branch not less than 21 days notice and where an unreasonable delay would be caused by delaying the consideration of the matter until a later meeting of the Council.
- (iii) Any representation sent by the respondent and any report adopted by the Executive Committee of a Branch and submitted by the Honorary General Secretary of such Branch under this rule shall be communicated to the members of the Council and of the Ethics Committee only.

Rule 12

After a case has been referred to the Ethics Committee for investigation, if either party shall make any report or complaint or institute any proceedings based on the matter in dispute or anything in any way connected therewith, whether to any criminal or civil court or to any body having statutory or other powers of discipline over either party while the matter is under consideration by the Ethics Committee or the Council, the Committee or the Council, as the case may be, may at its discretion, adjourn or refuse to proceed with the investigation of the case.

Rule 13

- (i) If any member of the Ethics Committee shall have taken part in the previous investigation into any case he shall be debarred from taking part in the consideration of such case as a member of the Council of the Association, but he shall not be debarred from giving evidence as to the facts if called upon to do so.

- (ii) If any member of the Ethics Committee be personally concerned in a case or be principal or partner or assistant of any person so concerned, or have otherwise any personal interest in or special knowledge of the case, he shall, before the consideration by the Ethics Committee of any report or recommendation thereon, disclose such interest to the Committee and if so decided by the Committee, he shall retire from the meeting during such consideration, but he shall not be debarred from giving evidence as to facts if called upon to do so.
- (iii) Where the Chairman of the Ethics Committee is debarred from taking part in the consideration of a case under (i) or (ii) above the Committee shall appoint one of its members to act as Chairman for the purpose of the case.

Rule 14

- (i) In every case in which the Ethics Committee shall, after due investigation in accordance with these Rules, have passed a Resolution declaring that in the opinion of the Committee the conduct of any medical practitioner, whether by contravention of the Rules and Resolutions of a Branch or otherwise, has been (or is) detrimental to the honour and interests of the medical profession or of the Association, it shall be the duty of the Honorary General Secretary of the Association, if the Committee shall so resolve, to cause such Resolution to be brought directly to the knowledge of every member of the Branch in the area of which such practitioner resides, and every member of such other Branches as the Committee may specify, by means of a Notice in the form appended hereto which notice it shall be the duty of the Honorary General Secretary of the Association to authenticate by his signature. In the case of a Notice of which copies are made by a mechanical process it shall suffice the signature of the Secretary appears on the original Notice and is copied as part thereof.
- (ii) In any case in which the Ethics Committee shall, at the time of, or subsequently to, the adoption of a Resolution of the nature contemplated by paragraph (i) of this Rule, have also resolved that, in the opinion of the Committee, it is desirable that such Resolution shall be brought officially to the notice of any specified Branches of the Association, it shall be the duty of the Honorary General Secretary of the Association to transmit copies of the said Resolution to the Honorary General Secretaries of the Branches so specified, whose duty it shall be to bring such resolution in a proper manner to the notice of members of the Branch.
- (iii) In any case in which the Committee has adopted a Resolution in terms of Rule 7 (I) (vii) no Resolution of the nature contemplated by paragraphs (i) or (ii) of this Rule shall be adopted by the Committee until after the consideration by the Committee of the Report of the Honorary General Secretary under Rule 7 (I) (vii) and in any case in which notices have been sent by the Honorary General Secretary under paragraphs (i) or (ii) of this Rule and in which the Committee subsequently rescinds its Resolution under Rule 9 it shall be the duty of the Honorary General Secretary to send to the recipients of the Notice so sent a further notice of such rescission and to take all reasonable steps to ensure further notice is received by all recipients of such original notice.

**FORM OF NOTICE REFERRED TO IN PARAGRAPH (i)
MALAYSIAN MEDICAL ASSOCIATION
(Private and Confidential)**

NOTICE

In pursuance of Rule 14 of the Rules of the Ethics Committee of the Association relating to Complaints regarding Professional Conduct, Notice is hereby given that a meeting of the Committee, held aton theday ofa Resolution in the following terms was duly passed:

“That, in the opinion of the Committee, the conduct ofhas been (or is) detrimental to the honour and interests of the medical profession and/or to the honour and interests of the Association in that he has”.

Signed in pursuance of the Rules of the Ethics Committee of the Malaysian Medical Association relating to the complaints regarding Professional Conduct.

Honorary General Secretary
Malaysian Medical Association

Rule 15

- (i) All notices or communication required by these Rules to be served on or sent to any person may in the case of a Member of the Association be served or sent either by personal delivery or by Registered Post in a prepaid letter addressed to such member at his address appearing in the Register of Members of the Association and in the case of a person who is not a member be served or sent either by personal delivery or by being sent through the post in a prepaid letter addressed to such person at his last known address. Any notice or communication if served by post shall be deemed to have been served on the day following that on which the letter is posted (unless such day following is a Sunday or other day on which no postal delivery is made, in which event the notice or communication shall be deemed to have been served on the day on which a postal delivery shall next be made) and in proving service it shall be sufficient to prove that the letter was properly addressed and put into the Post Office.
- (ii) The Ethics Committee may appoint Ethics Sub-Committees in each of the Branches and delegate all or some of its functions to these Sub-Committees, which shall deal with all ethical complaints that arise within the Branch. Where an ethical complaint affects members in more than one Branch, it shall be referred to the Ethics Committee of the Association. In all ethical matters coming under the Ethics Committee, where the rules of the Ethics Committee or the Code of Ethics refer to the Ethics Committee, this shall be read as referring to the Ethics Sub-Committee.

Each Ethics Sub-Committee shall consist of the Branch Chairman who shall be Chairman of the Sub-Committee, the Branch Secretary, who shall be the Secretary of the Sub-Committee, and three other members who shall be appointed by the Ethics Committee.

The Rules of the Ethics Committee shall generally apply to the Ethics Sub-Committee.

**TERMS OF REFERENCE
PRIVATE PRACTITIONERS SECTION OF MMA (PPSMMA)**

I (1) NAME

The section shall be called Private Practitioners Section of MMA (PPSMMA) and is referred to hereafter in these Rules as “The Section” or PPSMMA.

(2) ADDRESS

The Section shall have a registered address from which and to which communications may be addressed.

The PPSMMA’s address shall be at the registered address of the Malaysian Medical Association.

(3) OBJECTIVES

The Private Practitioners Section of the Malaysian Medical Association (PPSMMA) shall be governed by the Malaysian Medical Association Constitution and the MMA Council, and by the following objectives.

- (a) This Section shall be a consultative body to the MMA, in matters pertaining to the doctors working in the private sector.
- (b) Consultative processes, requests and decisions, which PPSMMA has with the government and with bodies outside the Malaysian Medical Association shall go through the MMA.
- (c) PPSMMA may discuss matters related to and problems of day to day Health Services rendered by doctors to the community, the training of doctors and other such matters.
- (d) This Section shall inform doctors in the private sector who are not yet MMA members, of the activities of the MMA and encourage their involvement as members of the MMA to stand united on issues affecting Private Medical Practice in Malaysia.

II MEMBERS OF PPSMMA

All MMA members in the private health sector shall be deemed to the members of the PPSMMA.

III MMA STATE BRANCH PPSMMA

- (1) There shall be, in each State Branch of MMA, a State PPSMMA section.
- (2) PPSMMA and State PPSMMA section shall be deemed to be a section of the MMA Council and MMA State Branch respectively and shall always be subordinate to the MMA Council and Branch Committee. The formation of the State PPSMMA section shall be recommended by the State Branch concerned and approved by the Council.

IV MANAGEMENT OF PPSMMA

- (1) National Working Committee (NWC) of PPSMMA shall function as the principal body of PPSMMA within the guidelines set out below.

(2) Composition of the NWC of PPSMMA

The NWC of PPSMMA shall consist of:

- Office bearers
- Chairman
 - Vice-Chairman
 - Honorary Secretary
 - Honorary Treasurer
 - Two Honorary Assistant Secretaries

State Representatives - Each MMA State Branch PPSMMA section shall be entitled to one (1) representative on the NWC of PPSMMA.

V NWC MEETINGS

- (1) The NWC shall meet at least twice a year preferably at six (6) months intervals.
- (2) The Chairman shall preside at all meetings of the NWC.
- (3) One half of the total number of the NWC shall form a quorum.
- (4) The newly elected NWC shall meet within one (1) month after the National PPSMMA Annual General Meeting at which it is elected.

VI EXECUTIVE COMMITTEE OF PPSMMA (EXCO)

- (1) The PPS Exco shall consist of the principal PPSMMA officials i.e. Chairman, Chairman-Elect, Immediate Past President, Honorary Secretary, Honorary Treasurer, and the two Honorary Assistant Secretaries.
- (2) The quorum for PPS Exco shall be four members.
- (3) The Exco shall be in charge of the day-to-day affairs of PPSMMA between meetings of the PPSMMA NWC, to carry out the mandate of the PPSMMA NWC.
- (4) The Exco shall not be competent to initiate or alter any policy decision of the NWC or MMA Council except by way of a recommendation to the PPSMMA NWC, after consulting MMA PPS members in the Private Sector especially on matters affecting the day to day medical practice of PPS members of MMA.
- (5) The Exco shall meet at least four times a year of which two shall be with the MMA Exco.

VII OFFICERS OF NWC OF PPSMMA

(1) The Chairman

- (i) The Chairman shall take the Chair at all General Meetings of PPSMMA and all meetings of the PPSMMA NWC and its Exco.
- (ii) The Chairman shall have the right to call meetings of Exco, NWC and General Meetings.
- (iii) The Chairman shall have a casting vote in addition to his vote as a member.
- (iv) The Chairman shall represent the Section PPSMMA in MMA Council.

(2) Vice-Chairman

The Vice-Chairman will perform all the function in the absence of the Chairman.

(3) The Honorary Secretary

- (i) The Honorary Secretary of the National Working Committee (NWC) of PPSMMA, shall in consultation with the Chairman, call meetings of the Exco, NWC and General Meetings of PPSMMA.
- (ii) The Honorary Secretary shall have custody of the Minutes Book of PPSMMA.

- (iii) The Honorary Secretary shall keep the State MMA Branch Committees and State Branch PPS sub-committees informed of all decisions made by the NWC and Exco of PPSMMA.
- (iv) The Honorary Secretary shall conduct all the correspondence of PPSMMA under the direction of the Chairman, the Exco and NWC of PPSMMA. He shall submit the Annual Report of PPSMMA to the MMA Council at the end of his term of office, after it is approved by NWC PPSMMA.

(4) The Honorary Treasurer

The Honorary Treasurer shall manage the funds allocated by MMA Council to PPSMMA. He shall prepare a Statement of Accounts at the end of the Year to the Council and submit a Budget for approval by MMA Council.

(5) The Honorary Assistant Secretaries

The Honorary Assistant Secretaries shall assist the Honorary Secretary and deputies for him, and shall be responsible for duties delegated to them by the NWC of PPSMMA or the Chairman.

VIII VACANCIES IN NWC PPSMMA

- (1) The NWC of PPSMMA at its next succeeding meeting shall nominate one of its members to fill vacancies in and act in the NWC vacant posts of the Chairman, Chairman-Elect, Honorary Secretary, Honorary Treasurer, two Honorary Assistant Secretaries.
- (2) The PPSMMA Section Committee of the MMA State Branch at its next succeeding meeting shall nominate one of its members to fill the vacancy created by the resignation of the PPSMMA representative in the MMA Branch Committee.

IX ANNUAL GENERAL MEETING

The PPSMMA Annual General Meeting shall be held during the MMA Annual General Meeting.

(1) Notice

The Notice of the Annual General Meeting PPSMMA shall be sent to all PPS members at least twelve (12) weeks before the meeting by the PPSMMA Honorary Secretary and he shall call for Resolutions for discussion at the Annual General Meeting. The Resolutions shall be sent to the PPSMMA Honorary Secretary not less than eight (8) weeks before the Annual General Meeting.

X AGENDA

- (1) To confirm and discuss matters arising from the previous PPSMMA Annual General Meeting.
- (2) To adopt the Annual Report for the year preceding.
- (3) To adopt the Annual Statement of Accounts for the year preceding.
- (4) To install the Chairman of PPSMMA for the ensuing year.
- (5) To elect the NWC Office Bearers for the ensuing year.
- (6) To accept and declare the various State Representatives for the ensuing year.
- (7) To decide on any Resolutions which may have been duly submitted.
- (8) The Honorary Secretary shall adhere to the MMA Constitution Article X, Subsection (i),(ii),(iii),(iv), of the MMA Constitution in the preparation of the PPSMMA Annual General Meeting.

XI QUORUM

The quorum at all General Meetings of PPSMMA shall be twice the number of members of the National Working Committee of whom at least six shall be delegates from MMA Branches other than the Branch at which the meeting is held. If there is a lack of quorum MMA Article X 4 (ii) shall apply.

XII PROCEDURE FOR ELECTION

(1) Election Committee

The MMA Council shall appoint a member of the Elections Committee to conduct the elections for the NWC of PPSMMA.

- (2) Nominations shall be called for the following posts:
Chairman-Elect, Honorary Secretary, Honorary Treasurer, Two Honorary Assistant Secretaries.
- (3) Nominations shall be accepted from the floor. Nominations by proxy is allowed as long as the signed consent of the nominee is presented to the Annual General Meeting and the candidate is proposed and seconded by PPS members.
- (4) Voting is by secret ballot at the PPS Annual General Meeting.
- (5) A simple majority determines the winner. Proxy votes are not entertained.

XIII MMA STATE PPSMMA SECTION

- (1) Being a section of the MMA State Branch, the rules, procedures and the territory of each State PPSMMA section shall conform to the rules and By-Law V of the MMA Constitution and Branch Rules.

- (a) The PPSMMA Representative to the MMA State Branch who shall be the MMA State Branch PPSMMA Chairman, shall be elected at the MMA State Branch Annual General Meeting by PPSMMA members only. The MMA Branch AGM shall also elect one delegate for every ten (10) PPS members in the MMA Branch, who shall attend the Annual General Meeting of the National PPS Annual General Meeting together with members of PPS NWC.
- (b) The PPSMMA section of the MMA State Branch shall comprise of the following members.

A Chairman
A Secretary
Not more than five other PPS members

(c) Notice of Meetings of State PPS Section

The notice of meetings of the PPSMMA section shall be sent to members two weeks before the meeting by the Secretary of the section PPSMMA.

(2) Quorum

The quorum at State Branch PPSMMA Meetings shall be one-half of the committee members.

XIV FINANCES

- (1) The NWC PPSMMA shall receive an allocation of funds from the MMA Council annually for its activities as a section of the MMA.
- (2) The MMA State Branch PPSMMA shall receive an allocation of funds annually from the respective MMA State Branch.

XV GENERAL PROVISIONS

- (1) Any other matter or matters not covered by these Terms of Reference shall be dealt with according to the provision of the MMA Constitution.
- (2) In case of any dispute as to the interpretation, construction, rendering and meaning of all or any of these Terms of Reference, or of any word or words contained in the Terms of Reference, the interpretation, construction, rendering and meaning determined and fixed by the Council of the MMA shall be final and conclusive.
- (3) Neither PPSMMA nor its members shall attempt to restrict or in any other manner engage in any Trade Union activities as defined in the Trade Union Ordinance 1959.

**TERMS OF REFERENCE
SECTION CONCERNING HOUSE OFFICERS,
MEDICAL OFFICERS AND SPECIALISTS (SCHOMOS)**

- I The Section to be known as Section Concerning House Officers, Medical Officers and Specialist (SCHOMOS) which is based at the registered address of the Malaysian Medical Association. The Section shall be governed by the Malaysian Medical Association (MMA) Constitution and Council with the following objectives.
- (1) It shall be a consultative body to the MMA, in matters pertaining to the doctors in the public sector. All consultative processes, requests and decisions, which SCHOMOS has with the government and with bodies outside the Malaysian Medical Association shall go through the MMA. Between them and to that end it may discuss service, training and other matters, with the prior consent of the MMA Council.
 - (2) To inform doctors in the public sector who are not yet MMA members, of the activities of the MMA and to encourage their involvement as members of the MMA.

II MEMBERS OF SCHOMOS

All MMA members by virtue of being employed in the public sector shall be deemed members of SCHOMOS.

III MMA STATE BRANCH SCHOMOS

There shall be, in each State Branch a State SCHOMOS Section.

SCHOMOS and State SCHOMOS section shall be deemed to be a section of the MMA Council and MMA State Branch respectively and shall always be subordinate to the MMA Council and Branch Committee. The formation of the State SCHOMOS section shall be recommended by the State Branch concerned and approved by the Council.

IV MANAGEMENT OF SCHOMOS

National Working Committee (NWC) of SCHOMOS shall function as the principal body of SCHOMOS within the guidelines set out below.

Composition of the NWC of SCHOMOS

The NWC of SCHOMOS shall consist of :

- Office bearers
- A Chairman
 - A Vice Chairman
 - An Immediate Past President
 - An Honorary Secretary
 - An Honorary Treasurer
 - Two Honorary Assistant Secretaries
- State Representatives
- Each MMA State Branch SCHOMOS Section shall be entitled to one (1) representative on the NWC of SCHOMOS.

V NWC MEETINGS

- (1) The newly formed NWC shall meet within one (1) month after the National SCHOMOS Annual General Meeting at which it is elected.
- (2) The NWC shall meet at least twice a year preferably at six (6) months intervals.
- (3) The Chairman shall preside at all meetings of the NWC.
- (4) One half of the total number of the NWC shall form a quorum.
- (5) The Notice of the NWC meeting shall be sent two (2) weeks before the meeting by the SCHOMOS Honorary Secretary.

VI EXECUTIVE COMMITTEE (EXCO)

- (1) The Exco shall consist of the principal SCHOMOS officials, i.e.

A Chairman
A Chairman-Elect
A Immediate Past Chairman
A Honorary Secretary
A Honorary Treasurer
Two Honorary Assistant Secretaries

- (2) The quorum for the Exco shall be four members.
- (3) The Exco shall be in charge of the day-to-day affairs of SCHOMOS between meetings of the SCHOMOS NWC, to carry out the mandate of the SCHOMOS NWC.
- (4) The Exco shall not be competent to initiate or alter any policy decision of the NWC except by way of a recommendation to the SCHOMOS NWC.

- (5) The Exco shall meet at least four (4) times a year of which two (2) shall be with the MMA Exco.

VII OFFICERS OF NWC SCHOMOS

(1) The Chairman

The Chairman shall take the Chair at all General Meetings of SCHOMOS and all meetings of the SCHOMOS NWC.

The Chairman shall have the right to call meetings of Exco.

The Chairman shall have a casting vote in addition to his vote as a member.

(2) Vice Chairman

The Vice Chairman will perform all the functions in the absence of the Chairman.

(3) The Honorary Secretary

The Honorary Secretary of the National Working Committee (NWC) of SCHOMOS, shall have the duty in consultation with the Chairman, of calling for meetings of SCHOMOS keeping the State MMA Branch Committee informed of decisions made by the NWC of SCHOMOS. He shall conduct all other correspondence of SCHOMOS under the direction of NWC SCHOMOS. He shall submit the Annual Report of SCHOMOS to the MMA Council at the end of each term.

(4) The Honorary Treasurer

The Honorary Treasurer shall manage the allocation of funds by MMA Council to SCHOMOS. He is to prepare a Statement of Accounts at the end of the year to the Council and a budget for approval by MMA Council.

(5) The Honorary Assistant Secretaries

The Honorary Assistant Secretaries shall assist the Honorary Secretary and deputise for him, and shall be responsible for any other duties delegated to them by the NWC of SCHOMOS.

VIII VACANCIES

- (1) The NWC of SCHOMOS section at its next succeeding meeting shall nominate one of its members to act on vacancies in the NWC which are permanent, i.e. the post of Chairman, Chairman Elect, Honorary Secretary, Honorary Treasurer, Two Honorary Assistant Secretaries.

- (2) The MMA Branch SCHOMOS section committee at its next succeeding meeting shall nominate one of its members to act on a vacancy created by the resignation of the SCHOMOS representative in the MMA Branch Committee.

IX ANNUAL GENERAL MEETING

The SCHOMOS Annual General Meeting shall be held during the MMA Annual General Meeting.

(1) Notice

The notice of the SCHOMOS Annual General Meeting shall be sent to all SCHOMOS members at least twelve (12) weeks before the date fixed for the SCHOMOS Annual General Meeting by the SCHOMOS Honorary Secretary and he shall call for Resolution for discussion at the Annual General Meeting. Any member desirous of moving any Resolution at the SCHOMOS Annual General Meeting shall give notice in writing duly proposed and seconded to the SCHOMOS Honorary Secretary not less than eight (8) weeks before the date of the SCHOMOS Annual General Meeting.

- (2) The agenda of the SCHOMOS Annual General Meeting, which shall be as follows, shall be sent to all members of SCHOMOS at least fourteen (14) days before the SCHOMOS Annual General Meeting.

X AGENDA

- (1) To adopt minutes of the previous SCHOMOS Annual General Meeting.
- (2) To discuss matters arising.
- (3) To adopt the Annual Report for the year preceding.
- (4) To adopt the Statement of Accounts for the year preceding.
- (5) To elect the Office Bearers for the ensuing year.
- (6) To accept and declare the various State representatives for the ensuing year.
- (7) To decide on any resolution which may have been duly submitted.
- (8) The Honorary Secretary shall adhere to Article X, Subsection (ii), (iii), (iv), (v) of the MMA Constitution in the preparation of the SCHOMOS Annual General Meeting.

XI QUORUM

The quorum at all General Meetings of SCHOMOS shall be twice the number of members of the National Working Committee.

XII PROCEDURES OF ELECTION

- (1) Elections Committee
The MMA Council shall appoint a member of the Elections Committee to conduct the elections.
- (2) Nominations are called for the following post:

Chairman-Elect, Honorary Secretary, Honorary Treasurer, Two Honorary Assistant Secretaries.
- (3) Nominations are accepted from the floor. Nominations by proxy is allowed as long as the signed consent of the nominee is presented.
- (4) Voting is by secret ballot.
- (5) A simple majority determines the winner. Proxy votes are not entertained.

XIII MMA STATE BRANCH SCHOMOS SECTION

- (1) The territory of each state SCHOMOS section shall conform to the MMA State Branch.
- (2) The MMA State Branch SCHOMOS Annual General Meeting shall be held together with the MMA Branch Annual General Meeting and the notice of the SCHOMOS Annual General Meeting shall be sent together with the notice of the MMA Branch Annual General Meeting.
- (3) The State Branch SCHOMOS section representative who shall be the MMA State Branch SCHOMOS Chairman, shall be elected in the State Branch Annual General Meeting by SCHOMOS members only.
- (4) The MMA State Branch SCHOMOS section shall comprise of the following members:

A Chairman
A Secretary
Not more than five other ordinary members
- (5) The MMA State Branch SCHOMOS Chairman shall form his Committee.
- (6) Quorum**

The quorum of the MMA State Branch SCHOMOS shall be twice the Committee members.

XIV FINANCES

- (1) The NWC SCHOMOS shall receive an allocation of funds from the MMA Council annually for its activities as a section of the MMA.
- (2) The MMA State Branch SCHOMOS shall receive an allocation of funds annually from the respective MMA State Branch.

XV GENERAL PROVISIONS

- (1) Any other matter or matters not covered by these Terms of References shall be dealt with according to the provision of the MMA Constitution.
- (2) In case of any dispute as to the interpretation, construction, rendering and meaning of all or any of these Terms of References or of any word or words contained in the Terms of Reference, the interpretation, construction, rendering and meaning determined and fixed by the Council of MMA shall be final and conclusive.
- (3) Neither SCHOMOS nor its members shall attempt to restrict or in any other manner engage in any Trade Union activities as defined in the Trade Union Ordinance, 1959.

TERMS OF REFERENCE OF SOCIETIES WITHIN MMA

I NAME

Each Society of the MMA shall be formed in accordance with Article VII (4) of the MMA Constitution shall be named after the special group that it represents.

II ADDRESS

The registered address of each Society shall be at the registered address of the Malaysian Medical Association.

III OBJECTIVES

Each Society shall be governed by the MMA Constitution and the MMA Council. Towards this end it shall:

- i) Promote the knowledge, practice and standards of the relevant discipline or special interest.
- ii) Affiliate or liaise with professionals of local, regional and international organisations with the aim of promoting the relevant discipline or special interest.
- iii) Keep the Malaysian Medical Association informed on issues related to the relevant discipline or special interest.
- iv) Promote and advance research in the respective discipline or special interest.
- v) Publish proceedings of Scientific Meetings through the MMA newsletter.
- vi) Promote and safeguard the professional interests of the members.
- vii) In the case of members with special interest, this may include medical students.

IV MEMBERSHIP OF SOCIETIES

Membership of the respective Society shall be open to members of MMA who belong to the respective discipline or specially or are undergoing training in the relevant discipline.

V MANAGEMENT OF SOCIETIES

The Executive Committee (Exco) of each Society shall function as the principal body of that Society and shall manage its affairs within the objectives and guidelines set out by the MMA Council.

Composition of the Executive Committee (Exco)

The Exco of each Society shall consist of the following office bearers: -

- Chairman
- Vice Chairman
- Honorary Secretary
- Honorary Treasurer
- Honorary Assistant Secretary
- Five Committee Members

VI EXCO MEETING

- (1) The Exco shall meet at least twice a year.
- (2) The Chairman shall preside at all meetings of the Exco.
- (3) One half of the total number of the Exco shall form a quorum.
- (4) The Notice of the Exco meeting shall be sent two (2) weeks before the meeting by the Honorary Secretary.

VII OFFICERS OF EXECUTIVE COMMITTEE OF SOCIETIES

(1) The Chairman

The Chairman shall take the Chair at all general meetings of the respective Society and all meetings of the Exco.

The Chairman shall have the right to call meetings of the Exco.

The Chairman shall have a casting vote in addition to his vote as a member.

(2) Vice-Chairman

The Vice-Chairman will perform all the functions of the Chairman in the absence of the Chairman.

(3) The Honorary Secretary

The Honorary Secretary of the Society, shall have the duty, in consultation with the Chairman, of calling for meetings of the Exco, keeping the members of the Society informed of decisions made by the Exco of the Society. He shall have custody of the Minutes Book of the Society. He shall conduct all other correspondence of Exco under the direction of the Chairman and the Exco. He shall submit the Annual Report of the Society to the MMA Council at the end of each term after it is approved by the Exco of the Society.

(4) The Honorary Treasurer

The Honorary Treasurer shall manage all funds of the Society.

He is to prepare and forward the statement of accounts at the end of each Financial year to the MMA Council and to the Annual General Meeting of the Society.

He is to submit an Annual Budget for approval by MMA Council.

(5) The Honorary Assistant Secretary

The Honorary Assistant Secretary shall assist the Honorary Secretary and deputise for him, and shall be responsible for any other duties delegated to them by the Exco of the Society.

VIII VACANCIES

The Executive Committee at its next succeeding meeting shall nominate one of its members to act on vacancies in the Exco which are permanent, i.e the post of Chairman, Vice- Chairman, Honorary Secretary, Honorary Treasurer and Honorary Assistant Secretary.

IX ANNUAL GENERAL MEETING

The Annual General Meeting of each society shall be held before 30th April of each year but not less than two months before the Annual General Meeting of the MMA except for the Medical Students Society, which shall meet at the MMA AGM.

X AGENDA

- (1) To adopt minutes of the previous Annual General Meeting of the Society.
- (2) To discuss matters arising.
- (3) To adopt the Annual Report for the year preceding.

- (4) To adopt the Statement of Accounts for the year preceding.
- (5) To elect the Office Bearers for the ensuing year.
- (6) To decide on any Resolutions which may have been duly submitted.
- (7) To Honorary Secretary shall adhere to By Law V, Subsection (10) (i), (ii), (iii) and (iv) of the MMA Constitution in preparation for the Annual General Meeting of the Society.

XI QUORUM

The Quorum at all General Meetings of the Society shall be twice the number of members of the Executive Committee.

XII PROCEDURES OF ELECTION

- (1) The outgoing Exco shall appoint two scrutineers to conduct the elections.
- (2) Nominations are called for the following post:

Chairman, Vice-Chairman, Honorary Secretary, Honorary Treasurer and Honorary Assistant Secretary.
- (3) Nominations shall be accepted from the floor. Nominations by proxy are allowed as long as the signed consent of the nominee is presented to the Annual General Meeting and the candidate is proposed and seconded by the Society members.
- (4) Voting is by secret ballot at the Annual General Meeting of the Society.
- (5) A simple majority determines the winner. Proxy votes are not entertained.

XIII FINANCES

- (1) The Executive Committee of the respective Societies shall receive an allocation of funds from MMA Council annually for their activities.
- (2) The Exco can apply for funds for their Continuing Medical Education (CME) and other projects to the MMA Foundation through the MMA.
- (3) The Honorary General Treasurer of the MMA shall be the custodian of all the finances of each Society and shall deposit all finances in a bank approved by the MMA Council.

- (4) Special subscription or levies for particular purposes may be raised from members which may be determined from time to time by a decision of the MMA Council in accordance with the advice of the respective Society.

XIV GENERAL PROVISION

- (1) Any other matter or matters not covered by these Terms of References shall be dealt with according to the provision of the MMA Constitution.
- (2) In case of any dispute as to the interpretation, construction, rendering and meaning of all or any of these Terms of References or of any word or words contained in the Terms of Reference, the interpretation, construction, rendering and meaning determined and fixed by the Council of MMA shall be final and conclusive.
- (3) Neither the Society nor its members shall attempt to restrict or in any other manner engage in any Trade Union activities as defined in the Trade Union Ordinance, 1959.