

UNDANG-UNDANG

BAGI

**PERSATUAN GABUNGAN
PENGAMAL PERUBATAN
MALAYSIA**

PERSATUAN GABUNGAN PENGAMAL PERUBATAN MALAYSIA

The Constitution

1. Name

The name of the Society shall be Persatuan Gabungan Pengamal Perubatan Malaysia (MPCAM is MEDICAL PRACTITIONERS COALITION ASSOCIATION OF MALAYSIA) (hereinafter called "The Society").

2. Registered Address

The registered address of the Society is to No 65 Jalan Kuchai Maju 1, Kuchai Entrepreneur Park 58200 Kuala Lumpur.

The correspondence address of the Society is to No. 17-2, Jalan PJS 8/12, Dataran Sunway Mentari, 46150 Petaling Jaya Selangor

3. Objectives

The objectives for which the Society is established are: -

1. To promote and uphold the interests of the profession of Doctors in all its aspects
2. To build MPCAM to become the strong voice of the medical profession
3. To find a common ground to provide the best healthcare in the world
4. To bridge the gap between the public the private services.
5. To enable doctors' grouses heard in the bigger setting
6. To facilitate communication and good will amongst doctors practicing in Malaysia
7. To provide continuing medical education by organizing, coordinating, arranging, holding conferences, seminars and workshops, to present papers of excellence and orations.
8. To provide continuing professional development in the form of specific advanced training courses and examinations to recognize excellence and competency in recent advances in medicine in tandem with the national aspirations of the development in various fields of medicine internationally.
9. After required assessment, to award certificates of merit and excellence of competency in the practice of medicine to be a competent physician in medicine.

4. Membership

There will be four categories of members namely, Life, Ordinary, Honorary and Associate. Basic requirement for membership will be medical doctors.

4.1.1 Ordinary member

Open to all Medical Doctors practicing in Malaysia age 21 years and above, Malaysian citizens.

4.1.2 Life Member

Open to Medical Doctors practicing in Malaysia, age 21 years and above and shall make a lump sum payment subscription.

4.1.3 Honorary member

Honorary membership shall be conferred by the Committee on any individuals, age 21 years and above who have made significant contributions to the growth, development,

credibility, reputation and standing of the profession. They shall be exempted from paying Entrance Fee , Annual Subscription and shall not vote or be voted to hold office in the Society.

4.1.4 Associate members

Open to individual, who is a medical graduate undergoing training programmed shall be eligible for Associate Membership of the Society. An Associate member shall not have the right to vote at General Meetings or be voted to hold office in the Society.

4.2 Every application for the membership shall be made on an official form and submitted together with the APC and has to be supported by any two members of the committee. Approval shall be made as soon as details as vetted.

4.3 Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed entrance fee and first annual subscription, be admitted as a member of the Society and shall be entitled to all the privileges of membership.

5. Resignation and Termination

5.1 Any member who wishes to resign from the society shall give notice to (2) weeks in writing to the secretary and shall pay up all the dues.

5.2 Any member who fails to comply with the rules of the Society or has acted in a manner to bring disrepute upon to the Society may be expelled or suspended for a period of time as the Committee deems fit. Before the Committee expels or suspends the member, the member shall be informed of the grounds for such expulsion or suspension in writing and be given an opportunity to explain and clear himself in person. Such suspension or expulsion shall be enforced, unless termination reversed by a general meeting upon appeal by the said member.

6. Entrance Fees, Subscriptions and other dues

6.1 The entrance fee and annual subscription shall be as follows:

	Life Member (LM)	Ordinary Member (OM)	Associate Member
Entrance Fee	NIL	RM50.00	RM10.00
Annual Subscription	NIL	RM100.00	RM60.00
One time Lump payment	sumRM1,000.00		

6.2 All yearly subscription shall be payable to the Treasurer on or before the expiry of 1 year (12 months) from the date of joining.

6.3 Any member who allows his arrears to exceed one year subscriptions shall be denied the privileges of membership until he settles his account. The member shall receive two written reminders one month apart signed by or on behalf of the secretary and shall be denied the privileges of the membership until he settles the arrears. Membership with arrears more than 90 days will result in termination of membership. A new application needs to be submitted in order to be a member.

6.4 Special subscription or levies for particular purposes may be raised from members by resolution of the General Meeting of the Society.

7. General Meeting

7.1 The supreme authority of the society is vested in a general meeting of the members. At least half of the total voting membership of the society or twice the number of committee members whichever is lesser must be present at a general meeting for its proceedings to be valid and to constitute a quorum.

7.2 If 30 minutes after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding 30 days) to be decided by the committee and if a quorum is not present 30 minutes after the time appointed for the postponed meeting, the members present shall have power to proceed with the business but they shall not have power to alter the rules of the society or to make decisions affecting the whole membership.

7.3 Annual general meeting shall be held as soon as possible after the close of each financial year not later than 31st December on a date and at a time and place to be decided by the committee. The business of the annual general meeting shall be:

To receive the minutes of the previous AGM

To receive the committee's report on the working of the society during the previous year

To receive the treasury's report and the audited accounts of the society for the previous year

To elect a committee and 2 auditors for the next 2 years

To deal with such other matters as may be put before it.

7.4 The Secretary shall send a soft copy via email to all members at least 30 days before the meeting an agenda including copies of minutes and reports, together with the audited accounts of the Society for the previous year. Members can have a hardcopy upon request.

7.5 An extraordinary general meeting of the society shall be convened;

(a) Whenever the committee deems it desirable, or

(b) At the joint request in writing of not less than 20 voting members, stating the objects and reasons for such a meeting

7.6 An extraordinary general meeting requisitioned by members shall be convened for a date within 30 days of the receipt of such a requisition

7.7 Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary to all members at least 15 days before the date fixed for the meeting

7.8 Paragraphs (7.1) and (7.2) of the rules regarding the quorum and the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the proviso that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by members the meeting shall be cancelled, and

no extraordinary general meeting shall be requisitioned for the same purpose(s) until the lapse of at least 6 months from the date thereof

7.9 The secretary shall forward to all members a soft copy of the draft minutes by email of each annual and extraordinary general meeting as soon as possible after its conclusion and members can have a hard copy upon request.

8. The Committee

8.1 A committee shall consist of 5 EXCO members and 5 ordinary committee members who shall be the office bearers of the society who will be elected biennially at the annual general meeting. The EXCO consists of a President, a Vice President, a Honorary Secretary, an assistant secretary and a Honorary Treasurer. There will be 5 committee members.

8.2 All office-bearers of the Society and every officer performing executive functions in the Society shall be Malaysian citizens. For Non-Malaysian written approval must be obtained from the Registrar of Societies.

8.3 Names for the above offices in paragraph (1) shall be proposed and seconded and election will be by a simple majority vote of the members at the annual general meeting. A member must have served on the Committee during the preceding year in order to be eligible to be elected as President. In the event that no Committee member is willing or able to take up the post of President, a non-Committee member may then be elected to the post. All the office bearers shall hold office for 2 years and may be re-elected, except for the President, who may not hold the post for more than 4 consecutive years.

8.4 The function of the Committee is to organize and supervise the day to day activities of the Society and to make decisions on matters affecting its running within the general policy laid down by the general meeting. The Committee may not act contrary to the express wishes of the general meeting without the prior reference to it and shall always remain subordinate to the general meeting. It shall furnish a report to each annual general meeting on its activities during the previous year.

8.5 The Committee shall meet at least once every three months and 7 days' notice of each meeting shall be given to the members. The President acting alone, or not less than three of its members acting together may call for a meeting of the Committee to be held at any time. At least one half of the Committee members must be present for its proceedings to be valid and to constitute a quorum.

8.6 Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Committee is deemed to have been obtained:-

- a. The issue must be clearly set out in the circular and forwarded to all members of the committee
- b. At least one-half of the members of the Committee must indicate whether they are in favor or against the proposal and
- c. The decision must be by a majority vote.

Any decision obtained by circular letter shall be reported by the Secretary to the next Committee meeting and recorded in the minutes thereof.

8.7 Any member of the Committee who fails to attend three consecutive meetings of the committee without satisfactory explanation shall be deemed to have resigned from the Committee.

8.8 In the event of the death or resignation of a member of the Committee, the candidates who received the next highest number of votes at the previous election for the post affected, shall be invited to fill the vacancy. If there is no such candidate or if such candidate declines to accept the office, the Committee shall have the power to co-opt any other member of the Society to fill the vacancy until next election.

8.9 The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Society. It may appoint such officers and such staff, as it deems necessary. It may suspend or dismiss any officers or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason, which it deems good and sufficient in the interest of the Society.

8.10 The Committee may appoint any sub-committee for any purpose arising out of or connected with any of the duties, functions and aims laid down under the rules. Any members can become members of these sub-committees.

9. Duties of Office-Bearers

9.1 The President shall during his term of office preside at all general meetings and all meetings of the committee and shall be responsible for the proper conduct of all such meetings. He shall have the casting vote and shall sign the minutes of each meeting at the time they are approved. He shall, together with the Secretary and Treasurer, be one of the 3 authorized Signatories to sign all cheques on behalf of the Society.

9.2 The Vice President shall deputize for the President during the latter's absence.

9.3 The Secretary shall conduct the business of the Society in accordance with the rules, and shall carry out the instructions of the general meeting and of the Committee. He shall be responsible for conducting all correspondence and keeping all books, documents and paper except the accounts and financial records. He shall attend all meetings, and record all proceedings. He shall keep a membership register consisting of details such as name, identity card number, date and place of birth, occupation, name and address of employer and residential address. He shall, together with the President and the Treasurer, be one of the 3 authorized signatories to sign all cheques on behalf of the Society. He shall file annual returns within 60 days from the date of the annual general meeting to the Registrar of Societies.

9.4 The Assistant Secretary shall deputize for the Secretary during the latter's absence.

9.5 The Treasurer shall be responsible for the finances of the society. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall, together with the President and the Secretary, be one of the 3 authorized signatories sign all the cheques on behalf of the Society.

9.6 The Ordinary Committee Members shall carry out such duty as directed by the President or the Committee.

10. Financial Provisions

10.1 Subject to the following provisions in this rules, the funds of the Society may be expended for the purpose necessary for the carrying out of its objects, including the expenses of its office-bearers and paid staff, and the audit of its accounts, but they shall on no account be used to pay the fine of any member who may be convicted in a court of law.

10.2 The Treasurer may hold a petty cash advance not exceeding RM 1,000.00 (Ringgit Malaysia: One Thousand only) at any one time. All money in excess of this sum shall within seven days of receipt be deposited in a bank approved by the Council. The bank account shall be in the name of the Society.

10.3 All cheques or withdrawal notices on the Society's account shall be signed by any 2 of the following office bearers: the President, the Secretary and the Treasurer. In the absence of the President, the Secretary or the Treasurer for a long period, the Committee shall appoint one of its members to sign in his place.

10.4 No expenditure exceeding RM 5,000.00 (Ringgit Malaysia Five Thousand only) at any one time shall be incurred without the prior sanction of the committee, and no expenditure exceeding RM 100,000.00 (Ringgit Malaysia One Hundred Thousand only) in anyone month shall be incurred without the prior sanction of a General Meeting. Expenditure less than RM 5,000.00 (Ringgit Malaysia Five Thousand only) at any one time may be incurred by the President together with the Secretary or the Treasurer.

10.5 As soon as possible after the end of each financial year, a statement of receipts and payments and a balance sheet for the year shall be prepared by the Treasurer and audited by the Auditors appointed under the rule 11. The audited accounts shall be submitted for the approval of the next annual general meeting, and copies shall be made available at the registered place of business of the Society for the perusal of members.

10.6 The financial year of the Society shall commence on the 1st January and end on the 31st December every year.

11. Auditors

11.1 Two (2) persons, who shall not be office-bearers of the society, shall be appointed, by the Annual General Meeting as Auditors. They shall hold office for two years only and may be eligible for re-appointed.

11.2 The Auditors shall be required to audit the accounts-of the society for the year and to prepare a report or certificate for the annual General Meeting. They may also be required by the President to audit the accounts of the Society for any period within their tenure of office at any date, and, to make report to the Committee.

12. Trustee

12.1 Three Trustees, who must be over 21 years of age, shall be appointed at the annual general meeting and shall hold office during the pleasure of the society. They shall have vested in them all immovable property whatsoever belonging to the Society upon execution of a Deed of Trust.

12.2 The Trustee shall not sell, withdrawal or transfer any of the property of the Society without the consent and authority of a general meeting of members.

12.3 Any or all of the Trustees may be removed from office by a resolution passed by a two-thirds majority at a General Meeting.

13. Interpretation

13.1 Between annual general meetings the committee shall interpret the rules of the society and when necessary, determine any point on which the rules are silent.

13.2 Except where they are contrary to or inconsistent with the policy previously laid, down by the general meeting the decisions of the Committee shall be binding on all members of the society unless and until countermanded by a resolution of a general meeting.

14. Advisor/Patron

The Committee shall if it deems fit and necessary appoint qualified persons to be the Advisor or Patron of the society. The person so appointed must give his consent in writing.

15. Prohibitions

15.1 None of any games of mere chances shall be played in the premises of the society in accordance to the First and Second Schedule of the Common Gaming Houses Act 1953.

15.2 Neither the Society nor its members shall attempt to restrict or in any other manner Interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Act, 1959.

15.3 The Society shall not hold any lottery, whether confined to its members or not, in the name of the Society, its office-bearers or members without prior approval from the authorities concerned.

15.4 Benefit as mentioned under Section 2 of the Societies Act 1966 shall not be given by the society to any of its member.

15.5 Public statements, including circulars, letters, press releases and pamphlets, shall be released by the President, Secretary, or an authorized committee member, only with prior approval from the Committee.

16. Amendments of Rules

16.1 Any member in benefit may make a proposal of amendment/s to the rules of the association and must be duly seconded by another member in benefit. The committee are enabled to make such appropriate amendment to the rules.

16.2 The proposed amendment/s must be submitted in form of "Existing Rule" and "Proposed Amendment" to the secretary within 42 days prior to AGM.

16.3 After the deliberation of the proposed amendment by the Committee, the proposed amendment will be circulated to the general membership within 30 days of the AGM. Any support or objection to the proposed amendment must reach the Secretary within 14 days of AGM.

16.4 The proposed amendment will be tabled at the AGM as an agenda for a decision of approval or rejection.

16.5 Any approved decision to amend the rules will be submitted together with the minutes of the AGM within 60 days to ROS by Secretary.

16.6 The amendment will take effect from the date of notice of acceptance of the amendment by the Registrar

17. Dissolution

17.1 The society may be voluntarily dissolved by a resolution of not less than three-fifths of the total voting membership present in a general meeting convened for such purpose.

17.2 In the event of the society being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.

17.3 Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution.

18. Flags, Symbols, Emblems, Badges or other Insignia



The logo is stylized clearly with the name of the society and in short form is called "MPCAM". The Blue color represents Healthcare. The Yellow represents respect to King and Country.

RULE 19. Grievance Mechanism

Any member with any grievances about the society shall make their grievances official in black and white and present it to the secretary. The mechanism are as follows:

Any complaint concerning the conduct of the committee of the MPCAM, or concerning the conduct of an individual member of MPCAM shall be made in writing and sent to the Secretary.

- a) The complaint shall contain the following
 - (i) The full name, identification card (IC), current address and contact number of complainants;

- (ii) The facts of the complaint;
 - (iii) Copies of any document that the complainant uses to rely on to support of his/her complaint; and
 - (iv) The signature of the complainant
- b) Upon receipt of a complaints the Secretary shall:
- i) Stamp the date of receipt on the complaint; and bring it up to the committee within 7 working days.
 - ii) Within these 7 working days an Investigating Committee (IC) shall be set up.
 - iii) The Investigating Committee (IC) shall report to the EXCO and the proceedings of the investigating committee shall be updated on the MPCAM website (Appendix of Grievance Mechanism)

APPENDIX OF GRIEVANCE MECHANISM

Setting up of an Investigating Committee (IC)

- Secretary shall set up an Investigating Committee (IC), of at least two (2) members and the Secretary to look into the complaints
- The Secretary or any other person/s appointment by Exco shall set out the terms of reference of the IC to suit the circumstances of the case,
- The IC shall at the earliest meet to elect a Chairman and institute the inquiry, within thirty (30 days). Where circumstances necessitate an extension of the time such application may be made by the IC to the Exco, which extension the Exco may at its absolute discretion grant or refuse.
- At least seven (7) working days prior written notice of any inquiry shall be given to the parties concerned. If a party has been given adequate notice and fails to attend an inquiry without reasonable cause acceptable to the IC, the IC may proceed with such inquiry in this absence and make such recommendations as it deems fit after such inquiry.

Process

Where on the date fixed for the investigation/Inquiry of the complaint:

- The complainant and the member against whom the complaint has been made, fail to attend before the inquiry, the IC may, upon being satisfied that the notice of the inquiry has been posted to the members concerned proceed with inquiry.
- The complainant fails to attend before the inquiry, the IC may, upon being satisfied that the notice of the inquiry has been posted to the complainant, dismiss the complaint or proceed with the inquiry in the absence of the complainant without further notice to him and make its determination;
- The member against whom the complainant has been made fails to attend before the inquiry, the IC may, upon being satisfied that the notice of the inquiry has been posted to the member concerned, proceed with the inquiry in the absence of the member concerned without further notice to him and make its determination.
- The Chairman and/or any IC may examine any witness (including the complainant) during any stage of the hearing.

IC Verdict

- After hearing all the witnesses called by the parties to the dispute the IC shall decide whether the complaint has been substantiated and the results shall be conveyed by a written letter within 7 working days.
- If the complaint is not substantiated or there is a doubt in the matter, the IC shall dismiss the complaint.
- If the complaint is substantiated against an individual member the IC may make any of the following recommendation to the EXCO:
- Warning and /or reprimand; and /or

- Suspension from any MPCAM activities for a period not exceeding thirty-six (36) months
- If the complaint is substantiated against the Committee of MPCAM, the IC may recommend to the EXCO that steps be taken to remedy the situation.
- The IC shall communicate its decision to the EXCO in writing,

Appeal

- Any member who is dissatisfied with the decision of the IC may apply to Exco in writing, stating his ground (s) of appeal. Such application appeal shall be lodged by the member through the Secretary within fourteen (14) workings days of the date the decision is convened to him.
- When an application or appeal has been presented, Exco shall consider the grounds of the application/appeal upon the written report of the investigation conducted by the IC. Exco is at the liberty to review the case either in the presence of the member/s concerned and the IC or in the absence of both of them at a meeting of the Exco as it shall absolutely deem fit.

EXCO may:

- quash, set aside, vary, decrease or add to the punishment or confirm the recommendations of the IC;
- make any other decision or order which in their opinion ought to have been made by the IC; and /or
- make sure further or other order as they shall absolutely deem fit.
- The powers aforesaid may be exercised by EXCO notwithstanding that the notice of application for review / appeal may be to a part only of the IC's decision
- The decision of the EXCO shall be final.
- Failure to exhaust the grievance mechanism: In the event any member fails to first apply the IDR mechanism to revolve his complaint and exhaust the in-house mechanism available herein, he/she will be expelled from the membership of MPCAM whatever the category of membership including a Life Membership.

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