

CONSTITUTION

PERSATUAN PENIAGA ALAT-ALAT GANTI TERPAKAI KENDERAAN MALAYSIA (MALAYSIA USED VEHICLE AUTOPARTS TRADERS ASSOCIATION)

CLAUSE 1 NAME

1. The Association shall be known as

**PERSATUAN PENIAGA ALAT-ALAT GANTI TERPAKAI KENDERAAN MALAYSIA
(MALAYSIA USED VEHICLE AUTOPARTS TRADERS ASSOCIATION)**

Hereinafter referred to as "the Association".

2. Meaning of name :

3. Level : **Kebangsaan**

CLAUSE 2 ADDRESS

1. The registered address is

**7-1 & 9-1, JALAN KLANG SENTRAL 9/KU5, KLANG SENTRAL, JALAN MERU
41050 KLANG
SELANGOR**

or at such other place as may from time to time be decided by the Committee; and the postal address is

**7-1 & 9-1, JALAN KLANG SENTRAL 9/KU5, KLANG SENTRAL, JALAN MERU
41050 KLANG
SELANGOR**

2. The registered and postal addresses shall not be changed without the prior approval of the Registrar of Societies.

CLAUSE 3 OBJECTIVE

(1) a. To promote, unite and lead in the sound development of the used autoparts industry and contribute to social and economic welfare.

b. To ensure the vitality of the industry in the years ahead and it's continued contribution to the national economy.

c. To promote its members to be an environmentally responsible, proactive and an essential business sector of the community.

d. To collate and spread information about the correct ways to recycle automotive vehicles parts.

e. To provide educational, regulatory and industry information as well as other

services to its members in an effort to facilitate the development of the used autoparts industry.

f. To liaise with international automotive recyclers associations in order to be aware of the current information of the used auto parts industry.

CLAUSE 4 MEMBERSHIP

(1) Membership is unlimited and divided into 2 categories:-

a. Organisation

Open to all limited companies and partnership in used autoparts industry, whose SSM/LLP Business Description includes "auto part" or "spare part" or "used part" or "motor vehicle part" or "machinery part" or "truck part" or "forklift part" or "alat ganti".

Those without the SSM/LLP Business Description mentioned, will automatically be placed into Associates Membership.

Note : SSM/LLP Business Description words or expressions in singular also includes the plural.

Each Company or partnership is allowed to appoint one (1) Malaysian representative above age of 18.

The Company's or Partnership's representative is allowed to vote and stand for election as committee member.

b. Associates

Open to all companies that are interested in recycling activities in the area of used autoparts and its related activities.

Associates members are not allowed to vote as well as be appointed as committee members.

(2) Every application for membership shall be proposed and seconded by the two existing members and shall be forwarded to the Secretary General who shall at the first convenient opportunity, submit it to the Committee for approval. The Committee may at its discretion reject any application without assigning any reason thereof.

(3) Every applicant whose application has been approved as aforesaid shall, upon payment of the prescribed Life Membership Fees, be admitted as a member of the Association and shall be entitled to all the privileges of the membership.

CLAUSE 5 RESIGNATION AND TERMINATION

(1) Any member who wishes to resign from the Association shall give two weeks' notice in writing to the Secretary General and shall pay up all dues.

(2) Any members who fails to comply with the rules of the Association or has acted in a manner to bring disrepute or is adverse or prejudicial to the welfare, interest or reputation of the Association 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 otherwise reversed by the general meeting upon appeal by the said member.

CLAUSE 6 SOURCE OF INCOME

LIFE MEMBERSHIP FEES AND OTHER RULES.

(1) The entrance Lifetime Membership Fees shall be as follows:-

Type of Members Lifetime Membership Fees

- (a) Organisation RM1200.00 (Ringgit Malaysia Satu Ribu Dua Ratus Sahaja)
- (b) Associates RM1200.00 (Ringgit Malaysia Satu Ribu Dua Ratus Sahaja)

(2) Special subscriptions or levies for particular purposes may be raised from members by resolution of the general meeting of the Association. Any member who allows his arrears to exceed two months' subscriptions or levies shall receive a written notification signed by or on behalf of the Secretary General, and shall be denied the privileges of membership until he settles his account.

(3) Any member who allows his arrears to exceed three months' subscriptions or levies shall automatically cease to be a member of the Association, and the Committee may direct legal action to be taken against him, provided that they are satisfied that he has received due notice of his debts.

CLAUSE 7 GENERAL MEETING

(1) The supreme authority of the Association is vested in a general meeting of the members. At least one-half of the total members of the Association or twice the total number of members of Management Committee, whichever is lesser, must be present at a general meeting for its proceedings to be valid and to constitute a quorum. General meeting shall be held of members attending in person, virtually or hybrid meeting as Committee may at its discretion deem fit. A person attending a meeting virtually shall have the same rights to receive notice, speak, vote and otherwise participate in the meeting as he or she would have if attending the meeting in person.

(2) If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding fourteen days) to be decided by the Committee; and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have the power to proceed with the business of the day but shall not have the power to alter the rules of the Association. Or make any decisions affecting the whole membership.

(3) An annual general meeting of the Association shall be held as soon as possible after the close of each financial year not later than 31 March on a date and a time and place to be decided by the Committee. The business of the annual general meeting shall be:-

- (a) To receive the Committee's report on the working of the Association during the previous year;
- (b) To receive the Treasurers' report and the audited accounts of the Association for the previous year;
- (c) To elect a Committee and to appoint auditors when election is due for the

ensuing year (election year);

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

(4) A preliminary notice of the annual general meeting stating the date, the time and the place, and calling the motions for the discussion, motions for amendment of the Rules and nominations for the election of the Rules and nominations for the election of the Committee shall be sent by the Secretary General to all members not later than fourteen (14) days before the date fixed for the meeting, and this notice shall also be prominently displayed at the registered office or place of meeting of the Association.

(5) Nominations for the election of officers and motions for discussion at the meeting must be sent to reach the Secretary General not later than Seven (7) days after the receipt of the preliminary notice.

(6) The Secretary General shall send to all members at least fourteen (14) days before the meeting an agenda including copies of minutes and reports, motions and nominations for the election of officers, together with the audited accounts of the Association for the previous year. Copies of these documents will also be made available at the registered place of business of the Association for the perusal of members.

(7) An Extraordinary General Meeting of the Association shall be convened:-

(a) Whenever the Committee deems it desirable; or

(b) At the joint request in writing of not less than one-third of the total members stating the objects and reasons for such meeting.

(8) An extraordinary general meeting requisitioned by members shall be convened for a date within thirty days of the receipt of such requisition.

(9) Notice and agenda for extraordinary general meeting shall be forwarded by the Secretary to all members at least fifteen days before the date fixed for the meeting.

(10) Paragraphs 7(1) and 7(2) of this rules regarding the quorum and the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the provision that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by the members the meeting shall be cancelled, and no extraordinary general meeting shall be requisitioned for the same purpose until after the lapse of at least one month from the date thereof.

(11) The Secretary General shall forward to all members a copy of the draft minutes of each annual and extraordinary general meeting as soon as possible after its conclusion.

(12) Notice of the annual general meeting, notices and the relevant documents required by these Constitutional Rules shall be delivered personally, sent via courier, sent via ordinary post or sent via electronic / social media.

(13) A member attending any general meeting shall be the authorized representatives as appointed pursuant to Clause 4.1 herein or other representatives duly appointed from time to time or proxy whose appointment shall be duly conveyed to the Association by written notification. Completed proxy form shall be submitted to the secretariat not less than seventh (7) days before the meeting, otherwise the nominee in the proxy form shall not be eligible to vote or to be elected

in any general meeting.

(14) Every valid representative attending the general meeting shall only represent up to a maximum of one member to vote.

CLAUSE 8 COMMITTEE

(1) A committee consisting of 18 members shall be termed the office-bearers of the Association, shall be elected at the annual general meeting. The office-bearers shall within fourteen (14) days after the conclusion of the election, elect among its office-bearers to form the management Committee. Should it be required, the President is authorised to appoint 4 additional committee members upon approval of the management committee.

A President

A Deputy President

Two Vice President

A Secretary General

An Assistant Secretary General

A Treasurer

Two Assistant Treasurer

Nine Ordinary Committee Members

(2) The tenure of office for all management committee members shall be three (3) years. For the post of President, a member who holds the term of President for Two (2) terms continuously or six (6) years continually, shall be automatically disqualified from being elected as President for the following election year for at least one term or 3 years break.

(3) The posts of President shall be elected from candidate who has served as committee for at least one term.

(4) The function of the Committee to make decisions, to organize and supervise the day-to-day activities of the Association and to matters affecting its running within the general policy laid down by the general meeting. The Committee may not act contrary to the expressed 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.

(5) The Committee shall meet at least once every Four (4) times a year, a Fourteen (14) days' notice of each meeting shall be given to the members. The President acting alone or not less than Three (3) of its members acting together may call for a meeting of the Committee 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. Meeting shall be hold of members attending in person, virtually or hybrid meeting as may at its discretion deem fit. A person attending a meeting virtually shall have the same rights to receive notice, speak, vote and otherwise participate in the meeting as he or she would have if attending the meeting in person.

(6) Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary General 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 favour 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 General to the next Committee meeting and recorded in the minutes thereof.

(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) In the event of the death or resignation of the member of the Committee the candidate who received the highest number of votes at previous election for the post affected shall be invited to fill vacancy. If there is no such candidate or if such candidate declines to accept the office, the Committee shall have the power to coopt any other member of the Association to fill the vacancy until the election in the next General Meeting.

(9) The Committee shall give instructions to the Secretary General and other officers for the conduct of the affairs of the Association. It may appoint such organizers or members of the staff as it deems necessary. It may suspend or dismiss any organizer 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 Association.

(10) It shall give instruction to the Trustees regarding the use of disposal of immovable property of the Association.

CLAUSE 9 DUTIES OF OFFICE BEARERS

(1) The President shall during his term of offices preside at all general meeting 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, in conjunction with the Secretary General and Treasurer, sign all cheques on behalf of the Association.

(2) The Deputy President shall assist the President in dealing with affairs of the Association and he shall deputize for the President during his absence.

(3) The Vice-President shall assist the President and Deputy President in dealing with the affairs of the Association and one of them as decided by the committee shall deputize the President during his absence.

(4) The Secretary General shall conduct the business of the Association 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 the 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. In conjunction with the President and the Treasurer he shall sign all cheques on behalf of the Association. He shall file annual returns within 60 days from the date of the annual general meeting to the Registrar of Societies.

(5) The Assistant Secretary General shall assist the Secretary General in performing in duties and shall act for the Secretary General in his absence.

(6) The Treasurer shall be responsible for the finances of the Association. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall, in conjunction with the President and the Secretary General sign all cheques on behalf of the Association. .

(7) The Assistant Treasurer shall assist the Treasurer in the latter's duties and one of them as decided by the committee shall deputize the Treasurer in his absence.

(8) The Ordinary Committee Members shall have the right to speak out their ideas and to make proposals for the benefits of the Association.

(9) The Committee may, if it thinks necessary, appoint qualified persons to be the Advisor for the Association provided the appointed person agreed in writing.

(10) The Committee may appoint past President(s) as Life Honorary President(s) of the Association.

CLAUSE 10 FINANCIAL PROVISION

(1) Subject to the following provisions in these rules, the funds of the Association may be expended for the purpose necessary for the carrying out of its objects, including the expenses of its administration, the payment of salaries, allowances and expenses to 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.

(2) The Treasurer may hold a petty cash advance not exceeding RM2,000.00 at any one time. All money in excess of this sum shall within seven (7) days of receipt be deposited in a bank account in the name of the Association.

(3) Expenditure exceeding Ten Thousand Ringgit (RM10,000.00) at any one time shall not be incurred without the prior sanction of the committee. Expenditure less than Ten Thousand Ringgit (RM10,000.00) shall be incurred and approved by the Treasurer and countersigned by either the President or the Secretary General. No expenditure exceeding Fifty Thousand Ringgit (RM50,000.00) at any one time shall be incurred without the prior sanction of a general meeting.

(4) As soon as possible after the end of each financial year, a statement of income and expenditure and a balance sheet for the year shall be prepared and audited by the Auditor/Auditors appointed under rule 11. The audited account shall be submitted for the approval of the next annual General Meeting, and copies shall be made available at the registered office or place of meeting of the Association for the perusal of members.

(5) The financial year of the Association shall commence on the 1st January and end on the 31st December every year.

CLAUSE 11 AUDITORS

(1) The Auditor/Auditors shall be reelected once every three years in the annual general meeting.

(2) The Auditor/Auditors shall be required to audit the accounts of the Association for the year, and to prepare a report or certificate for the annual general meeting. He/They may also be required by the President to audit the accounts of the

Association for any period within their tenure of office at any date and to make a report to the Committee.

CLAUSE 12 **PROPERTY ADMINISTRATOR / TRUSTEES**

TRUSTEE

(1) Three Trustees namely the President, the Secretary General and the Treasurer shall hold office during the pleasure of the association. They shall have vested in them all immovable property whatsoever belonging to the Association and shall deal with it in such manner as the Committee may direct. They will serve in this capacity for the duration of their term of office in the Committee. They will automatically cease to hold that position when their term of office ends.

(2) The Trustees shall not sell, withdraw or transfer any of the property of the Association without the consent and authority of a general meeting of members.

(3) A Trustee may be removed from office by the committee on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reason, he is unable to perform his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of a Trustee before the annual General Meeting the vacancy shall be filled by the committee until a new Trustee shall have been appointed by a general meeting.

CLAUSE 13 **INTERPRETATION**

(1) Between annual general meetings the committee shall interpret the rules of the Association and when necessary, determine any point on which the rules are silent.

(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 Association unless and until countermanded by a resolution of a general meeting.

CLAUSE 14 **ADVISOR / PATRON**

Not Applicable.

CLAUSE 15 **PROHIBITION**

(1) Opium smoking on the premises and the introduction of prostitutes and bad characters into the premises are strictly prohibited.

(2) None of the following games shall be played in the premises of the Association : Roulette, Lotto, Fan Tan, Poh, Peh Bin, Belangkai, Pai Kau, Tau Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty-One, Ten and a half, all games of dice, banker's game and all games of mere chance.

(3) 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 Ordinance, 1959.

(4) The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association, its office-bearers Committee or members.

CLAUSE 16 AMENDMENT OF CONSTITUTION

These Rules may not be amended except by resolution of a general meeting. Such alterations or amendments shall be within Sixty (60) days after the General Meeting be submitted to the Registrar of Societies for approval and shall take effect from the date of their approval.

CLAUSE 17 DISSOLUTION

(1) The Association 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.

(2) In the event of the Association 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.

(3) Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag

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Description

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2. Logo



Description

(a) The symbol has colors such as red and blue representing the color of the Malaysian flag which symbolizes that the Association is Malaysian. The color red in the alphabet characters 'MUVATA' which is short for 'Malaysia Used Vehicle Autoparts Traders Association', also signifies vitality, thus providing vitality to the industry to help in contribution to the national economy. The color green represents nature which symbolizes that the Association is environmentally responsible, always spreading information about the correct ways to recycle automotive vehicles parts.

(b) The map of Malaysia in the globe, signify the Association representing Malaysia as a global player in the used vehicle auto parts arena in the area of international trade and dialogue.

3. Badge

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Description

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