



MALAYSIAN ARMY CHINESE VETERANS ASSOCIATION (MACVA) CONSTITUTION AND BYE-LAWS

ABSTRACT

The Constitution and Bye-Laws of MACVA contain general information for the members of the Association as well as guidelines for the operation and administration of the Association

Constitution Drafting Sub-Committee

Major Cheong Sang (Rtd) (Coordinator)

Lt Col Don Too (Rtd) (Member)

Lt Col Wong Ah Jit (Rtd) (Member)

Major Ng Koon Huat (Rtd) (Secretary)

Terms of Reference

1. Draw up the proposed Constitution and Bye-Laws for MACVA
2. Make comparison with other Veterans Association's Constitution and Bye-Laws
3. To ensure the Constitution and Bye-Laws do not contradict any rules and regulation promulgated under Veterans Act 2012
4. The 1st copy shall be completed and submitted to Protem Committee for final deliberation on 14th July 2016.



MALAYSIAN ARMY CHINESE VETERANS ASSOCIATION (MACVA)

CONSTITUTION AND BYE-LAWS

The Constitution and Bye-Laws of MACVA contain general information for the members of the Association as well as guidelines for the operation and administration of the Association

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MALAYSIAN ARMY CHINESE VETERANS ASSOCIATION (MACVA)

FORWARD

This book contains the Constitution and Bye-Laws of the Malaysian Army Chinese Veterans Association (MACVA) which is effective on 14th July 2016.

The Constitution and Bye-Laws spell out the general information for its veteran members as well as guidelines for the operation and administration of the Association

The powers and duties of the Management Committee are set forth under the Schedule.

The Management Committee is empowered to amend the Bye-Laws for the efficient management of the Association from time to time.

President
Malaysian Army Chinese Veterans Association
18th July 2016

MALAYSIAN ARMY CHINESE VETERANS ASSOCIATION (MACVA) CONSTITUTION AND BYE-LAWS

Name

1. The name of the Association shall be **Malaysian Army Chinese Veterans Association (MACVA)** hereinafter refer to as the "Association".

Registered Office

2. The registered office of the Association shall be at **306A, Lorong Selangor, Pusat Bandar Melawati, Taman Melawati, Hulu Kelang, 53100 Kuala Lumpur** or at any such other place as may from time to time be decided by the Management Committee provided that it shall not be changed without the prior approval of the Registrar, who is the Director General of the Malaysian Armed Forces Veterans Affairs Department.

Crest

3. The crest of the Association shall be as per drawing enclosed in Annexure "A".

Interpretation/Definition

4. In this Constitution and Bye-Laws, unless the context otherwise requires -
"Association" means Malaysian Army Chinese Veterans Association (MACVA) which has been registered under the Veterans Act 2012;

"Committee" means the Management Committee of the Association;

"Committee Members" means the members of the Management Committee of the Association;

"Department" means the Malaysian Armed Forces Veterans Affairs Department

"Registrar" means the Director General of the Malaysian Armed Forces Veterans Affairs Department;

“Register of Members” means a register of Chinese veterans which is kept by the Association and maintain or cause to be maintain as required in such manner and form as may be prescribed;

“Veteran” means a Malaysian citizen who has served full time and has not been retired or discharged from service on grounds of misconduct in any of the following:

- (1) Regular forces of the Malaysian Armed Forces;
- (2) Volunteer forces mobilized full time by the Malaysian Armed Forces regardless of length of service;
- (3) Forces 136;
- (4) British Forces who had served in Malaya, and Malaysia or Singapore;
- (5) Sarawak Rangers.

“Member” means a Member of the Association;

“General Meeting” means the Annual General Meeting (AGM) or an Extraordinary General Meeting (EGM) of the Association;

“Rules” means these rules including any amendments thereof for the time being in force.

“Secretary” means the Honorary Secretary of the Association;

Words importing the masculine gender shall also apply to the feminine gender;

Words importing the singular number shall also include the plural number and vice versa.

Objectives

5. The objectives of the Association shall be:
 - (1) To foster and strengthen comradeship, unity and harmony among all veterans.
 - (2) To render assistance and support to all veterans.
 - (3) To provide charity to all deserving Malaysians.
 - (4) To promote Nation Building.
 - (5) To provide continual support and serve as a resource to the Malaysian Armed Forces.

Membership

6. The categories of membership shall be as follows:

- (1) (a) Life Member
- (b) Honorary Member

(2) Any Chinese Veteran of the Malaysian Army shall be eligible to apply to be the Life Member of the Association. A Life Member shall have the right to elect, to be elected, to voice opinions, to vote on any issue and to be entitled to all other privileges specified under these rules.

(3) Any Malaysian Chinese who has rendered distinguished service to the Association, the Malaysian Armed Forces and the nation may be conferred Honorary Membership of the Association. Honorary Members do not have the right to vote or stand for election at General Meeting. The Committee may recommend any person or persons of importance and approved by a General Meeting.

Application of Membership

7. (1) Every application for Life Member shall be made in writing signed by the applicant, his proposer and his seconder and shall be forwarded to the Secretary who shall submit it to the Management Committee for consideration and approval. Membership Application Form may be made available by the Management Committee and shall be accompanied by such fee as may be required.

(2) The approval for the admission of such applicant shall be in the hands of the Management Committee who shall have the discretion to reject any application without assigning any reason thereof. Upon approval, the candidate shall be duly informed and his name shall be entered in the Register of Members of the Association.

(3) The Secretary shall post on the Association Notice Board relevant details of the application for at least 10 days to enable any written objection by Members to be made to the Committee.

(4) Any Committee Member has the right to make valid objection at its Committee Meeting when deciding the election of new members.

(5) It is the duty of every Member to inform the Secretary of any change of address.

Membership Card

8. A membership Card shall be issued by the Committee and a Register of the Membership Card must be maintained.

Membership Fee

9. The Membership Fees for its member shall be determined by the Committee from time to time:

(2) The Membership Fee shall be due immediately upon an applicant being admitted as member and shall be non-refundable on the member's resignation, death or cessation of membership under any circumstances.

(3) The Association may from time to time seek donation for a worthy cause in pursuit of its noble objectives.

Resignation and Termination

10. (1) Any member of the Association who wishes to resign from the association shall give one week's notice of his intention to resign as a member in writing to the Secretary.

(2) Any member of the Association may from time to time be suspended and may, after due notice and inquiry, be expelled by the Management Committee on the ground of misconduct in or out of the Association which in the opinion of the Committee is injurious to the interest of the Association or renders him unfit to be a member of this Association. The suspended member may appeal to the Special Appeal Committee within three weeks from the date of suspension. The decision of the Special Appeal Committee shall be final.

(3) A member shall cease to be a member and his name shall be removed from the Register of Members of the Association in the event of the member's death, resignation, convicted by any court of law or on expulsion after disciplinary inquiry by the Committee.

General Meeting

11. (1) The General Meeting of Association shall be held once a year in March. At least twenty one (21) days notice must be given for all General Meetings. The Agenda for a General Meeting must be specified at the time and a notice shall be put up on the Association board.

(2) The Agenda of the AGM shall include:

- (a) Confirmation of the Minutes of the last AGM and EGM, if held.
- (b) Matters arising therefrom.
- (c) Receiving and adopting the report from the President of the Association in his capacity as Chairman of the Management Committee.
- (d) Receiving and approving the audited accounts for the year ending 31st December.
- (e) Electing members to the Management Committee for two (2) years

- (e) Electing Auditors and members of the Disciplinary Inquiry;
- (f) Transacting any other business of which due notice shall be submitted to the Secretary at least 7 days prior to the date of meeting.

(3) Extraordinary General Meetings may be called by the Committee or by petition by any Life Member, signed by at least twenty (20) Life Members. At any EGM the meeting shall specify the business for which the meeting has been called. No other business other than that appearing on the Agenda shall be discussed.

(4) Proxy votes are not allowed.

(5) Twenty (20) Life Members shall form a quorum at any AGM/EGM, but if, at the time fixed for such a meeting, less than twenty (20) such members are present, the Meeting shall be adjourned for half an hour and shall then reassemble. If at such time the quorum is still not met, then those present shall form the quorum.

(6) Within three (3) weeks of the termination of a General Meeting, a copy of the Minutes of such meeting shall be posted on the notice board.

Minutes of Meetings.

12. The Secretary is responsible for keeping a true and proper record of all meetings of the Management Committee and General Meetings. The minutes are signed by the Secretary and when they are passed by the meeting as a true and correct record of the proceedings of the meeting, it is counter-signed by the President.

Management Committee

13. (1) There shall be a Management Committee of the Association consisting of the following who shall be elected at the AGM:

- (a) President.
- (b) Deputy President.
- (c) Honorary Secretary.
- (d) Honorary Treasurer.
- (e) Nine (9) Committee Members.

Powers of the Committee

14. (1) The powers of the Committee and the duties of the Committee Members are laid down in the Schedule.

(2) The Committee shall be empowered to reassign the appointments should it deemed necessary to do so for the effective and efficient management of the Association.

(3) The Committee shall have the power to co-opt an additional five (5) Committee Members as and when necessary.

Election of Committee Members

15. (1) The Committee Members shall be elected from Life Members of the Association during the AGM and shall hold office for a term of two (2) years provided that no member shall serve the Committee for a maximum period of two (2) term in the same post.

(2) The elections for all posts shall be by balloting in the manner prescribed by the Management Committee.

Nomination for Committee Members

16. (1) Nomination for all posts shall be in writing and sign by a proposer and a seconder who shall be Life Members and shall be received by the Secretary at least seven (7) days before the date of such General Meeting. The Nomination shall be in the form as prescribed by the Management Committee. The form shall be signed by the nominated person to indicate his acceptance for the post. In the event where no nominations are received for the posts falling vacant at the said AGM, nominations made from the floor for such posts shall be valid.

(2) A member of the Committee may tender his resignation in writing. The Management Committee shall have power to elect by a simple majority a member from among themselves to the office so vacated. The Management Committee may also move to elect a life member which is not a committee member to assume the vacated post by a simple majority. Such an elected member shall perform the duty of the office until the next AGM.

(3) Any position of office in the Committee shall be declared vacant when the member holding it is:

- (a) Absent without reasonable excuses for three consecutive Committee Meeting.
- (b) Cease to be a Life Member of the Association.
- (c) Relinquished of his appointment by a unanimous decision of the Committee.
- (d) Resigned his office by notice in writing to the Association.

Frequency of Committee Meeting

17 The Committee shall hold its meeting from time to time as determined by the President provided that it shall be held at least once in every three months.

Quorum for Management Committee Meeting

18. The quorum for the Management Committee Meeting shall not be less than seven (7) members and notice of such meeting shall be given by the Secretary in writing via e-mail or committee mobile chat group at least three (3) days before such meeting. Matters arising at any Committee Meeting shall be decided by a simple majority of votes.

Chairmanship of Management Committee Meeting

19. The President shall chair the Meeting. In his absence, the Deputy President shall chair the Meeting.

Disciplinary Inquiry

21. There shall be a Disciplinary Inquiry consisting of a Chairman and two (2) Members provided that no member of the Management Committee shall be a member of the Disciplinary Inquiry.

Financial Provisions

22. (1) The Honorary Treasurer may hold a petty cash advance not exceeding Ringgit Malaysia one thousand only (RM 1,000/=) at any one time. All monies in excess of this sum shall within seven (7) days of receipt be deposited in the bank account of the Association.

(2) All cheques or withdrawal notices on the Association Account shall be signed jointly by the Treasurer or Secretary and either the President or Deputy President as approved by the Committee.

(3) The financial year of the Association shall commence on the 1st January and end on 31st December. As soon as possible after the end of each financial year, a statement of receipts and payments and a balance sheet of the year shall be prepared by the Treasurer and audited by the Auditors.

(4) The audited accounts shall be sent to all members for approval at its AGM together with the Notice for such meeting. Copies shall also be made available at the registered office of the Association for perusal by its Members.

Auditors

23. (1) There shall be three (3) Honorary Auditors who shall be nominated and elected by members present at the AGM of the Association. They shall not be members of the Management Committee and shall hold office for a term of two (2) years but may be re-nominated and re-elected.

(2) The Honorary Auditors shall audit the accounts of the Association for the year ending 31st December and if they are correct, shall so certify them and to report to the members of the Association at the AGM.

(3) A member who is duly elected as an auditor of the Association may tender his resignation in writing. Under such circumstances, the Management Committee shall have the power to appoint any member of the Association to be an auditor.

Assets of the Association (Properties)

24. The immovable property of the Association shall be registered in the name of the Association. The property shall not be sold, transferred or charged without the approval of the Members of the Association at a general meeting.

Patron/ Patrons

25. The Management Committee of the Association may invite a person (or persons) of high rank and distinction (not necessary from the Member of the Armed Forces) to be the Patron or Patrons of the Association.

Redress against the President and/or Committee

26. All complaints against The President or any Committee members must be addressed to the Committee in writing. The administrative procedure is as follows:

(1) The Secretary on receiving the complaint will have to call for a Meeting within seven (7) working days to address the issue at hand. The Committee shall be chaired by the Deputy President and shall conduct its inquiry to decide if there is a case at all. The Committee shall decide unanimously to reach a decision. If the Committee decides that there is no case, then the decision shall be recorded and the decision is formally conveyed to the complainant as soon as possible.

(2) If the Committee decides otherwise, then an independent committee comprising of at least three (3) members who are not involved directly or indirectly in the case will inquire into the allegation. This committee shall be known as the "Special Disciplinary Committee". They shall decide unanimously if there is a case, and if so, shall call for an EGM through the Committee to decide the actions to be taken against the President or the Committee member in question. Such an EGM must be represented by at least twenty (20) Members.

Prohibition

27. The Association shall not hold any activities that are prohibited by the laws of Malaysia.

Amendments to Constitution

28. Proposed changes or amendments to the Constitution are to be approved by a two third majority at a General Meeting prior to incorporation.

Dissolution

29. (1) The Association shall not be dissolved except with the consent of not less than two third of the total members of the Association, expressed in person at a general meeting convened for that purpose.

(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 disposed of in such manner as may be decided upon by a general meeting.

(3) Notice of Dissolution signed by the President, the Honorary Secretary and the Honorary Treasurer shall be given within fourteen (14) days of the dissolution to the Registrar of the Department.

SCHEDULE

Powers of the Management Committee

1. The Management Committee shall have the powers to:
 - (a) Decide on the admission of members or to reject any application of membership to the Association;
 - (b) Suspend and/or expel any member due to misconduct as per rule 10(2);
 - (c) To co-opt a Life Member to be a Committee Member in the event of a vacancy arising in the Management Committee;
 - (d) Appoint sub-committee and to delegate thereto any of its power under the rules and may from time to time evoke such delegation. Any sub-committee so formed shall in the exercise of the powers so delegated, conform to the rules or regulations that may from time to time be imposed on it by the Management Committee.
 - (e) Employ, appoint or engage any person or persons to look after the general affairs and activities of the Association in accordance with the Employment Act 1955.
 - (f) The Committee shall not undertake capital expenditure exceeding twenty thousand ringgit (RM 20,000.00) for any one item except for the replacement maintenance of existing buildings, infrastructure and equipment or services without the approval of a General Meeting.

Duties of the Management Committee

President

2. (a) Preside at all General Meetings and Committee Meetings of the Association. If he shall not be present for any such meeting he shall have the authority to delegate his power to the Deputy President or if the Deputy President shall not be present to any of the members of the Committee.
 - (b) Keep in safe custody the official seal of the Association.
 - (c) Represent the Association in all its dealing with the Department, other association and institution and the general public.
 - (d) Shall not incur expenses exceeding two thousand ringgit (RM 2,000.00) per calendar month.

Deputy President

3. (a) Assist the President in the performance of his duties.
- (b) In the absence of the President, presides at all General and Committee Meetings of the Association.
- (c) Act and carry out the duties of the President whenever so delegated by the President from time to time.

Honorary Secretary

4. (a) Co-ordinate and control the overall affairs and administration of the Association.
- (b) Conduct the correspondences of the Association.
- (c) Keep in safe custody all documents of the Association.
- (d) Convene all general and Committee meeting of the Association.
- (e) Keep full and correct minutes of all proceedings of the Association.
- (f) Prepare and present the Annual Report by the Committee at all AGM.
- (g) Maintain the Register of Members of the Association.
- (h) File the relevant returns to and to liaise with the Registrar of the Department.
- (i) Maintain and update the Constitution of the Association.
- (j) Administer and coordinate the activities of the staff and employees of the Association.
- (k) Certify all vouchers for payments by the Honorary Treasurer.

Honorary Treasurer

5. (a) Maintain proper account of the Association.
- (b) Collect all monies, due to the Association.
- (c) Hold all cheques, monies and petty cash of the Association.
- (d) Prepare and make payments on behalf of the Association.
- (e) Be a signatory to all cheques and or withdrawal notices made on behalf of the Association.
- (f) Prepare the accounts of the Association for audit.
- (g) Administer the monies, properties and assets of the Association.
- (h) Manage the bank accounts of the Association and to liaise with the banks.

- (i) Submit the necessary returns and/or payments with regards to matters related to Income Tax, Employee Provident Fund, Social Security Organization and Group Insurance for Employees, etc.
- (j) Prepare and present the Annual Statement of Accounts of the Association at all AGMs.
- (k) Prepare the Annual Budget of the Association.

BYE-LAWS

Bye-Laws

1. The Management committee is empowered to draw up the Bye-Laws and to update and amend for the efficient management of the Association from time to time.

Membership Fee

2. Membership fee shall be one hundred Ringgit Malaysia (RM 100.00) for Life Member. Honorary Member need not pay membership fee. The Management may review the fees as and when necessary. Members may contribute any amount towards the Development Fund of the Association.

Associate Membership

3. Associate Membership may be extended to Chinese veterans of the other Services of the Armed Forces such as Navy and Air Force. Associate Member shall have no voting right but shall enjoy all privileges as Life Member.

4. Associate Membership may also be extended to any person who has been associated with Malaysian Armed Forces by way of staff appointment, military or otherwise.

5. The Associate Membership Fee shall be one hundred Ringgit Malaysia (RM 100.00) and may contribute any amount towards the Development Fund of the Association.

Affiliate Membership

6. Affiliate Membership may also be open to other association or organization by invitation only and subject to Committee for approval. There is no Membership Fee and shall have no voting right.

Fidelity and Other Insurance Scheme

7. The Association shall purchase fidelity and any other type of property insurance to protect itself against unforeseeable criminal and civil liabilities. The Management Committee shall ensure that the premium is reasonable and affordable.

Dress Code

8. Members are to be properly attired when attending social functions and other events organized by the Association. Members and their guests are to observe the dress code, social etiquettes and decorum whilst at the premises of the Association.

Association Guests

9. The Committee may extend the hospitality of the Association to distinguished persons or visitors to such an extent and over such period as the Association may think fit. Any expenditure involved in extending to these guests shall be borne by the Association. The budget of such expenditure shall however be tabled and approved by the Committee.

Internal Auditor

10. The Management Committee may appoint an internal auditor among its committee to conduct checks on the accounts of the Association. The appointed member shall check quarterly all the expenses incurred by the Association and forward its report if any at its committee meeting.

Suggestion Book

11. A Suggestion Book shall be kept at the Reception Counter and any member can write in his complaint, suggestion or other comments with regards to any perceived shortcomings over the general administration, operations, and management of the Association or his grievances over any incident or occurrence resulting from the conduct of any member of the Association. The Management shall treat all reports with the utmost urgency and take immediate and effective steps to act on them.

IR RAYMOND GOH BOON PAH
Lt Kol (RAJD Rtd)
President

WONG AH JIT
Lt Kol (KPTD Rtd)
Honorary Secretary

CREST OF THE ASSOCIATION



NOTES ON THE CREST

The **CIRCULAR RING** denotes the wholesomeness of all Malaysian Army Chinese Veterans (MACV) in upholding the unity, solidarity and comradeship among the Armed Forces Veterans Associations.

JALUR GEMILANG (NATIONAL FLAG) is the “Sacred Pride of the Nation” of which all Malaysians hold dearly to their hearts. It represents MACVA commitment to continue to defend the Sovereignty of Malaysia.

SALUTING FIGURES depict the male and female veterans who continue their patriotic love for the nation.

The wording, “**HONOUR KING COUNTRY**” depicts the MACVA pledge to continue the sacred code of sacrifice and service to uphold our Honour, King and Country.

The wording “**MACVA**” represents a united and loyal Malaysian Army Chinese Veterans Association (MACVA).

The wording, “**VETERANS**” remind us of our past sacrifices and services in the defence of the nation.

The wording, “**A CREDIBLE VOICE**” denotes MACVA’s desire to promote nation building.

COLOUR : "RED, BLUE, YELLOW and WHITE"

Red denotes The Malaysian Army colour.

Blue denotes our love for the nation.

Yellow denotes our loyalty to King and country.

White denotes purity, integrity and unity.

IR RAYMOND GOH BOON PAH
Lt Kol (RAJD Rtd)
President

WONG AH JIT
Lt Kol (KPTD Rtd)
Honorary Secretary