

CONSTITUTION

PERSATUAN PERUBATAN DESA SABAH (PERDESA)

CLAUSE 1 NAME

1. The Association shall be known as

PERSATUAN PERUBATAN DESA SABAH (PERDESA)

Hereinafter referred to as "the Association".

2. Meaning of name : **PERSATUAN PERUBATAN DESA SABAH (PERDESA)**
3. Level : **Negeri**

CLAUSE 2 ADDRESS

1. The registered address is

**FACULTY OF MEDICINE & HEALTH SCIENCES UNIVERSITI MALAYSIA
SABAH, JALAN UMS, BLOCK E, GROUND FLOOR
88400 KOTA KINABALU
SABAH**

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

**FACULTY OF MEDICINE & HEALTH SCIENCES UNIVERSITI MALAYSIA
SABAH, JALAN UMS, BLOCK E, GROUND FLOOR
88400 KOTA KINABALU
SABAH**

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

CLAUSE 3 OBJECTIVE

- (1) Enhance professionalism amongst healthcare staff serving in rural areas of Sabah.
- (2) Forge an interrelationship between healthcare staff and the rural communities.
- (3) Enhance knowledge of healthcare amongst local communities by promoting healthy lifestyles and health education.
- (4) Contribute to the delivery of medical services and healthcare to rural communities.

- (5) Facilitate medical research in rural settings.
- (6) Create expertise in healthcare delivery within communities, thus empowering them for self-improvement.

CLAUSE 4 MEMBERSHIP

(1) Membership of the Association is divided into six categories:

(1.1) Ordinary Membership

This category of membership is open to all healthcare professionals who are Malaysian citizens, upon approval of the Executive Committee. These include Medical Officers, Dental Officers, Nurses, Assistant Environmental Health Officers, Medical Assistants, Pharmacists, Nutritionists, Medical Laboratory Technologists, Medical Science Officers and others involved in the delivery of healthcare in Sabah.

(1.2) Life Membership

This category of membership is open to all Ordinary Members on payment of a specific fee fixed at the AGM, upon approval of Executive Committee. A Life Membership applicant should have at least been an Ordinary Member for one year.

(1.3) Associate Membership

This category of membership is open to healthcare workers who are not Malaysian citizens but holding qualification in medicine or allied health. Associate Members can use all the facilities provided by the Association, but they are not eligible to vote or to hold any office in the Association.

(1.4) Honorary Membership

This category of membership is open to those who have contributed substantially to the Association in terms of service or financial benefit. Honorary membership is subject to approval of the Executive Committee. Honorary Members may be invited by the Executive Committee to attend any function, but may not vote or hold any office.

(1.5) Student Membership

This category of membership is open to all students in the institutions of higher learning in Sabah who have a keen interest in community healthy promotional activities. They are not eligible to vote or to hold any office in the Association.

(1.6) Supportive Membership

This category of membership is open to all who do not have formal qualifications in medicine or allied health. They are not eligible to vote or to hold any office in the Association.

(2) Any application to become a member in any category must have support of any two Ordinary Members, who shall duly propose and second the same prior to submission to the Secretary, who shall send it immediately to the Executive Committee for further action. The Executive Committee may decide to accept or reject an application without giving any reasons, but the decision must be based on

the best interest of the Association.

(3) Every application approved by the above procedure should have paid entrance fees and annual fee for the first year as well as other stipulated dues, prior to acceptance as a member of the Association and exercise of his or her rights as a member.

CLAUSE 5 RESIGNATION AND TERMINATION

Membership may be terminated on the following grounds:

(1) Members desirous of leaving the Association must give a two-week written notice of such intention to the Secretary and settle all debts owing.

(2) Any member who fails to follow the rules of the Association or acts in any manner that can tarnish the good name and reputation of the Association shall have his/her membership suspended for a specific period of time deemed reasonable by the Executive Committee. Before the membership can be suspended or terminated, the member must give in writing the reasons for the dismissal or suspension and be given an opportunity to explain and defend himself. A suspension and dismissal, if found necessary, shall be executed unless the AGM reviews or quashes the decision made, based on the appeal made by the member.

CLAUSE 6 SOURCE OF INCOME

(1) Subscriptions and entrance fees are as follows:

1.1 Ordinary Membership: Registration Fee RM10.00; Annual subscription RM50.00

1.2 Associate Membership: Registration Fee RM10.00; Annual subscription RM30.00

1.3 Life Membership: Registration Fee RM10.00; Annual subscription RM500.00 (single payment or installment within a year)

1.4 Honorary Membership: Free subscription

1.5 Student Membership: Registration Fee RM10.00 (single payment)

1.6 Supportive Membership: Registration Fee RM10.00; Annual subscription RM10.00

(2) The subscription fees shall be paid to the Treasurer at the time of application for membership and subsequently, it is to be paid on 1st of January each year. The membership fees would only cover that calendar year.

(3) Any Member who has defaulted on his or her membership fees for more than two years shall be notified so by a reminder signed by the Secretary or his representative and on further continuation of the default, the member shall lose his/her benefits of membership until he/she resumed his/her membership.

(4) Any member who has defaulted on his/her membership fees for more than 3

years shall cease to be a member. The Executive Committee can then order further action to be taken to against the member, provided that it is satisfied that the member had been properly notified.

(5) The Executive Committee has the power to determine the re-entry fees for any member who has let his/her membership to lapse because of such default.

(6) A Life Member shall be an Ordinary Member in good standing when applying Life Membership. He/she may pay for the entire Life Membership fee in one calendar year, subject to approved by the Executive Committee.

CLAUSE 7 GENERAL MEETING

(1) Governance of the Association is under the jurisdiction of the AGM of the members. A quorum of one-half (1/2) of the total membership that is eligible to vote or twice the numbers of the Executive Committee Members whichever is less, is necessary for validity of any Annual General Meeting.

(2) If the quorum is not achieved after half-an-hour from the time determined for the meeting, the meeting shall be postponed to another date (not more than 30 days later) to be determined by the Executive Committee. If quorum is not reached within half-an-hour from the time allotted for the postponed meeting, members present may start the meeting but there is no authorization to change the rules of the Association or to decide on matters concerning all members.

(3) The AGM of the Association shall be held as soon as possible after the end of the financial year, but not later than 31st March of the year, at a time and place decided by the Executive Committee. The duties of the AGM are to:

(3.1) Receive the annual report on transactions of the Association for the previous year;

(3.2) Receive a duly audited financial statement for the previous year from the Treasurer;

(3.3) Elect Committee Members and appoint auditors for the next 2 years; and,

(3.4) Discuss any other matters tabled in the meeting.

(4) The Secretary must send to every member of the Association, at least 14 days before the date of the AGM, the agenda of the meeting together with a copy of the announcement, annual reports, and duly audited statement of account for the previous year. This document could either send by post or electronically. A copy of the letter announcing the AGM must also be posted at the registered address of the Association.

(5) An Extraordinary General Meeting (EGM) of the Association may be held:

(5.1) If it is deemed necessary by the Executive Committee; or,

(5.2) A written request is received from most of the members, but not less than one fifth (1/5) of the total members qualified to vote, together with an explanation of the purpose and reason for calling the meeting. This request has to be submitted to the Secretary of the Association.

(6) The EGM which is requested by the members must be held within one month from the date of the request.

(7) The announcement and the agenda of the EGM shall be circulated by Secretary to all the members at least 7 days before the date of the meeting. This document could either send by post or electronically.

(8) Section (7.1) and (7.2) of the rules relating to the quorum and postponement of the AGM can be used for the EGM on condition that, if the quorum is not sufficient after half an hour from the time scheduled for the EGM, the meeting shall be cancelled and within 6 months from this date, an EGM cannot be requested by the members for a similar purpose.

(9) The Secretary must send to its members a draft copy of the minutes of every AGM or EGM as soon as possible, after the completion of the meeting. This document could either send by post or electronically.

CLAUSE 8 COMMITTEE

1) An Executive Committee of the following office-bearers shall be selected once every 2 years, at the Annual General Meeting.

(1.1) President

(1.2) Deputy President

(1.3) Secretary

(1.4) Assistant Secretary

(1.5) Treasurer, and,

(1.6) Seven (7) Ordinary Committee Members

(2) The holder of any office in the Association and anyone who is carrying out Executive functions in the Association shall be a Malaysian Citizen.

(3) The above-mentioned posts must be duly proposed and seconded by Ordinary Members and the elected by a simple majority of votes cast at an Annual General Meeting, once every 2 years. Any member of the Executive Committee can be offer himself for re-election, except the President, that can only serve a maximum of 2 terms continuously.

(4) The function of the Executive Committee is to manage the day to day affairs of the Association in conformity with decisions made at the AGM or EGM and not to act otherwise. The Executive Committee must table reports of its previous years'

activities at every AGM.

(5) The Executive Committee must meet at least once every 3 months. Notice shall be served on the members with the relevant agenda, at least 7 days prior to date of any scheduled meeting. The President, acting by himself, or together with at least not less than 4 members of the Executive Committee, can call for a meeting at any time. At least half (1/2) of the total number of Executive Committee Members shall constitute the quorum.

(6) If any significant matter should arise, that needed the approval from the Executive Committee and a meeting cannot be held for some reason, the Secretary can obtain the approval of the Committee Members through circulation. The conditions relating to such a manner of decision-making are:

(6.1) The problem(s) arising must be stated clearly in the circular distributed to every member of the Executive Committee;

(6.2) At least half of the members of the Executive Committee must give their approval or otherwise to the matter;

(6.3) The decision is made on a simple majority of the votes. Any decision made through circulation is to be reported by the Secretary during the subsequent Executive Committee Meeting for endorsement and recording.

(7) Any member of the Executive Committee who has not attended Committee Meetings three times consecutively, without satisfying reasons, is regarded as relinquishing his/her post.

(8) If any one of the Executive Committee Members were to pass away or be asked to quit from their post for any reason, the candidate with the greatest number of vote cast for the same post at the previous election, shall be called to fill the vacant position.

(9) The Executive Committee can assign any duties to the Secretary or to any other officer and can appoint an Executive Officer or any other staff, in order to manage the affairs of the Association or suspend or remove any staff due to negligence, untrustworthiness, inefficiency or betrayal in his/her discharge of duties or any unlawful act or omission that could tarnish the reputation of the Association.

(10) The Executive Committee can establish sub-committees with special responsibilities and assign specific tasks to any of the Committee Members.

CLAUSE 9 DUTIES OF OFFICE BEARERS

(1) The President, during his/her tenure, is responsible for chairing the AGM or EGM and all Executive Committee meetings and is responsible for the overall administration of the Association. The President has the deciding vote in any matter and has to sign every notice and minutes of the meeting after it is officially

approved. The President is a co-signatory of every cheque in the name of the Society together with the Treasurer.

(2) The Deputy President assists the President in carrying out his/her duties and must stand in for the President during his/her absence.

(3) The Secretary must carry out administrative responsibilities of the Association, in accordance with the rules in the constitution. He/She must convene the AGM and act as Secretary to the Executive Committee and manage all correspondence and maintain all the books, letters and papers of the Association, except the account and financial records. The Secretary shall also maintain an up-to-date register of membership (electronic database and hard copies) which contains details of names, addresses (including emails) and personal details such as dates of birth, identity card/ passport numbers, occupations, name and address of their employers, and home addresses and contact telephone numbers of the members. The Secretary shall be present in all meeting and keep a record of the minutes of the transactions, including the AGM or EGM. The Secretary shall submit to the Registry of Societies Malaysia, the annual report of activities and Statement of Audited Accounts of the Association 60 days after the date of the AGM is held, as required under Section 14(1) Societies Act, 1966.

(4) The Assistant Secretary shall assist Secretary in performing the above duties (Section 9(3)) and stand in for the Secretary during his/her absence.

(5) The Treasurer is responsible for all matters relating to financial planning and management of the Association. He/She shall maintain records of income and expenditure as well as assets and liabilities. He/She is responsible for the maintenance and accuracy of the accounts. He/She is a co-signatory of all the cheques in the name of the Society, together with the President.

(6) Ordinary Members of the Executive Committee must help the principal officers mentioned above, in performing their responsibilities required by the Executive Committee.

(7) The former Executive Committee is required to hand over to the new Executive Committee during a ceremony specifically called for the purpose, all the Association's documents and assets in their possession and control, such as the registration certificate, registration documents, register of members, copies of annual statements, letters of communication, account books, bank books, cheques, receipts, land titles, list of assets, electronic database and other materials. However, if any document is misplaced, missing or damaged due the negligence of the previous Executive Committee, that Committee is responsible for remedy or restitution.

CLAUSE 10 FINANCIAL PROVISION

(1) The finances of the Association can be used for the purpose and benefit of members of the Association, which include expenses for administration, salary

payment to staff, auditing fees, sponsorship and expenses on projects. However, it cannot be used for payment of penalties or fines imposed by a court law. This is the responsibility of the offending officer or member of the Executive Committee.

(2) The Treasurer is allowed to keep petty cash of not more than RM500.00 (Ringgit Malaysia Five Hundred) at any time. Any amount of the money exceeding this must be deposited in a bank approved by the Executive Committee, within 7 days of coming into possession of the money. The bank account must be in the name of the Association.

(3) All cheques and withdrawals of money from the bank account of the Association must have the signatures of the President and Treasurer. During the absence of one of them, the Executive Committee can appoint anyone from amongst them to replace the person to sign the cheques or authorize withdrawals.

(4) Expenses of more than RM5,000.00 (Ringgit Malaysia Five Thousand), at any one time, cannot be incurred without the prior approval of the Executive Committee and the expenses which is more than RM50,000.00 (Ringgit Malaysia Fifty Thousand) at any one time, cannot be incurred without the prior approval of the AGM. Expenses which less than RM5,000.00 (Ringgit Malaysia Five Thousand) at any one time, can be approved by President together with the Treasurer.

(5) Statements of income and expenditure as well the Statement of Accounts for the AGM shall be prepared by the Treasurer, immediately at the end of each financial year, and checked by auditors appointed at an AGM under Section 11 of this constitution. The audited Statement of Accounts should be circulated to each registered member of Association and approved at the AGM. A copy of the audited and approved Statement of Accounts must be supplied to the Registrar of Societies together with the Annual Report.

(6) All moneys and profits obtained by the Association from any investment or business shall be used specifically to extend, develop and run the purpose of Association and none of it can be used to pay interests, profits or bonuses to any of its members. Nevertheless, this stipulation shall not prevent any payment made in good faith for any salary or expenses or both to any member or worker of the Association for their services actually rendered to the Association.

(7) The financial year of the Association shall be from 1st January to 31st December each year.

CLAUSE 11 AUDITORS

(1) Two persons who are not among the Officers of the Association can be appointed during the AGM as the auditors. They shall hold the position for 2 years consecutively and may also be reappointed.

(2) The auditors are required to check Accounts of the Association for one year and make a report or confirm its accuracy for presentation at the AGM. They may be

required at any time, by the President to inspect the Statement of Accounts of the Association during their period of service, in order to make report to the Executive Committee.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

(1) By a Deed of Trust, approved at an AGM, two Trustees over the age of 21-years may be appointed, for any period of time, to be administer all the fixed assets of the Association.

(2) The Trustees cannot sell, withdraw or replace the assets owned by the Association, without the approval and authorization of the Association at an AGM or EGM.

(3) A Trustee can be removed from his/her position by the AGM or EGM of the Association on account of his/her sickness, insanity, absence from the country or because of other reasons that render him/her unable to fullfill his/her responsibilities or work satisfactory. If any trustee died, resigned or was dismissed, the vacant position can be fullfilled by a new trustee appointed at the AGM.

CLAUSE 13 INTERPRETATION

(1) During the intervening period during AGMs, the Executive Committee can give its interpretation of this constitution and the regulations made under it as well as, if necessary, decide on the matters not stated therein.

(2) Except on the matters that are in conflict with or inconsistent with policies made during the AGM, decisions made by the Executive Committee with respect to the members are final, and cannot be challenged at the AGM.

CLAUSE 14 ADVISOR / PATRON

The Executive Committee can, if it is necessary, appoint any person who is eligible, to become the advisor or patron for the Society on condition that the person appointed gives consent in writing.

CLAUSE 15 PROHIBITION

(1)The game mention below cannot be played in the premises of the Association: Roulette, Lotto, Poh, Peh Bin, BElangkai, Pai Kau, Tau Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Dua Puluh Satu, Tiga Puluh Satu, Sepuluh dan Setengah, all of the games of dice, banker's game, video games, all type of gambling, and all types of game played of chance.

(2) The Association or its member must not prohibit or in any other way interfere with business or the price of the goods or take part in the activities of any Workers' Movements as defined under the Workers Society Act, 1959.

(3) The Association cannot run a lottery, whether it is specific to its members or not, in the name of Association or its officers or the Executive Committee or the members, without approval of the authorities concerned.

(4) Benefits as explained under Section 2, Societies Act 1966, is not to be given to anyone by the Association to any of its member.

(5) All logos and representative symbols of the Association shall not be used by anyone without a written approval from the Executive Committee. The Association reserved the right to take legal action against those who violated this law.

CLAUSE 16 AMENDMENT OF CONSTITUTION

These rules may not be changed or amended except by a decision at the AGM. Application to make changes or amendments to the rules must be submitted to the Registrar of Societies within sixty (60) days from the date of the AGM called for the purpose. The amendments shall take effect only from the date of the changes made or the amendments are approved by the Registrar of Societies.

CLAUSE 17 DISSOLUTION

(1) This Association may be dissolved voluntarily with the agreement of not less than three out of five (3/5) of the total number of the members qualified to vote in the AGM which is specifically called for that particular purpose.

(2) If the Association is to be dissolved according to the above procedure, all lawful debts and liabilities of the Association must also be settled and the remaining balance sum must be settled in a manner agreed to by the AGM.

(3) The Statement of Accounts relating to the dissolution of the Association should reach the Registrar of Societies within 14 days from the date of decision to dissolve.

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag
 - Description
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2. Logo



PERDESA

Description

Colour:-

Blue : Forge an interrelationship between community and healthcare staff

Brown : Contribution of healthcare services and education

Black : Empowering community self-improvement

White : Promote balanced and healthy lifestyle

Green : Health is wealth

Object:-

Mount Kinabalu : Sabah Malaysia

Land and field : Rural area

People : Communities

Wording:-

PERDESA abbreviation for Persatuan Perubatan Desa Sabah

3. Badge

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Description

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