

RULES AND CONSTITUTION

OF

PERSATUAN PEMAKANAN TAMBAHAN MALAYSIA

(MALAYSIAN DIETARY SUPPLEMENT ASSOCIATION)

Rule 1 : **Name and Registered Address**

- (1) The Association shall be known as the “PERSATUAN PEMAKANAN TAMBAHAN MALAYSIA” (Malaysia Dietary Supplement Association). (hereinafter referred to as “The Association”).
- (2) The registered address of the Association shall be at Suite 1208, Level 12, Amcorp Tower, Amcorp Trade Centre, No 18 Persiaran Barat, 46050, Petaling Jaya, Selangor or as such at other places as the Council shall from time to time will decide and it is subject to the prior approval of the Registrar of Societies.
- (3) The logo of the Association is in the form of a blue capsule. The capsule is designed to look like a capsule as this will give out a very good dietary supplement feel. This is sensibly strengthened with the usage of attractive color tones.

Rule 2 : **Aims and Objects**

- (1) To improve the public’s health by providing quality products, services and factual information.
- (2) To develop, promote and increase awareness of the safety as well as providing the benefits of complementary healthcare products when it is used in an appropriate and responsible manner.
- (3) To establish and develop a professional image of the health supplement industry in Malaysia.

- (4) To establish, develop and maintain the health supplement industry as a legitimate part of the mainstream health care.
- (5) To promote, support, develop, maintain and protect the interests of the health supplements industry in Malaysia.
- (6) To support, develop, maintain, protect and facilitate transaction of business in the health supplements trade.
- (7) To assure that there is a suitable regulatory regime in Malaysia for healthcare supplements.
- (8) To uphold and to continue to self regulate the health supplement industry in a responsible, reliable and trustworthy manner.
- (9) To represent its members to the government on issues, laws and regulations regarding to the health supplement industry.
- (10) To operate as the central body for its members when dealing with the mass media on publicity issues concerning the health supplements industry.

Rule 3 : **Membership**

(1) Ordinary Members

Members shall be companies or partnerships incorporated in Malaysia engaged in the business of sale of dietary supplements. They shall have full power to vote at all Association meetings.

- (2) Every application for membership shall be forwarded to the Secretary who shall at the first convenient opportunity to submit the application to the Council for approval. The Council may at its discretion reject any application without assigning any reason therefore.

- (3) Every applicant whose application has been approved as aforesaid shall begin with the payment of the prescribed entrance fee and first yearly subscription in order to be admitted as a member of the Association and shall then be entitled to all the privileges of membership.

Rule 4 : **Entrance Fees, Subscription and Other Dues**

- (1) The entrance fees and subscriptions payable shall be as follows:-

<u>Ordinary Member</u>	
Annual Subscription	RM 5,000.00

- (2) All annual subscription shall be payable to the Treasurer in advance within the month of January of each year.
- (3) Members who fail to settle their dues beyond 60 days of invoice, shall be deemed to have been suspended and shall be notified of their status by the Secretary. Any member who allows their arrears to exceed 1 years' subscription shall automatically cease to be a member the following year and they shall be duly notified by the Secretary.
- (4) Terminated members shall be eligible to reapply and Rule 3 (2) shall apply and the Council shall have the power to fix a re-entrance fee.
- (5) Members are not allowed to suspend their membership for any reason whatsoever.
- (6) Special subscription or levies for particular purposes may be raised from members by resolution of the General Meeting of the Association. If any member fails to pay such subscription within such period as may be resolved, the amount due shall be treated in the same way as arrears of annual subscription.

Rule 5 : **Resignation and Expulsion**

- (1) Any member who wishes to resign from the Association shall give two weeks' notice in writing to the Secretary and shall pay up all dues before leaving.
- (2) Any member who fails to comply with the rules of the Association or has acted in a manner to bring disrepute upon the Association may be expelled or suspended for a period of time as the Council deems fit. Before the Council expels or suspends the member, the members shall be informed of the grounds for such expulsion or suspension in writing and be given an opportunity to explain and absolve himself in person. Such suspension or expulsion shall be enforced, unless otherwise reversed by a General Meeting upon appeal by the said member.

Rule 6 : **General Meeting**

- (1) The supreme authority of the Association is vested in the General Meeting of the members. At least one-half (1/2) of the total voting membership of the Association or twice the total numbers of members of the Council, whichever is the lesser must be present at a General Meeting for its proceedings to be valid and to constitute a quorum.
- (2) If 30 minutes after the time appointed for the meeting the quorum is not present, the meeting shall be postponed to a date (not exceeding 30 days) and it is to be decided by the Council, and if a quorum is not present 30 minutes after the time appointed for the postponed meeting, the members present shall have the power to proceed with the business of the day but they shall not have the power to alter the rules of the Association or to make decisions that will affect the whole membership.
- (3) The Annual General Meeting shall be held as soon as possible where it is held after the close

of each financial year but not later than 31st of May on a date and at a time and place is to be decided by the Council. The business of the Annual General Meeting shall be:-

- (a) To receive the Council's report of the working operation of the Association during the previous year;
 - (b) To receive the Treasurer's report and the audited accounts of the Association from the previous year;
 - (c) To elect a Council once in two years;
 - (d) To appoint Auditors for the year;
 - (e) To deal with such other matters which may be deemed fit by the General Meeting
- (4) The Secretary shall send to all members at least fourteen (14) days before the meeting a notice stating the date, time, place of meeting and an agenda which includes copies of the minutes and reports together with the audited accounts of the Association from the previous year. Copies of these documents will also be made available at the registered address or at the place of meeting of the Association for the perusal of members.
- (5) An Extraordinary General Meeting of the Association shall be gathered:-
- (a) Whenever the Council deems it desirable; or
 - (b) At the joint request in writing of 1/5 of the total voting members, stating the objects and reasons for such meeting.
- (6) An Extraordinary General Meeting requisitioned by members shall be convened for the date within thirty (30) days of the receipts of such requisition.

- (7) Notice and agenda for an Extraordinary General Meeting shall be forwarded by the Secretary to all members at least fifteen (15) days before the date fixed for the meeting.
- (8) Paragraphs 6 (1) and 6 (2) of this rule 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 the postponed Extraordinary General Meeting requisitioned by 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 six (6) months from the date thereof.

Rule 7 : **The Council**

- (1)(A) A Council consisting of the following, who shall be termed the office-bearers of the Association shall be elected at every alternate Annual General Meeting:

President	1
Vice-President	1
Secretary	1
Treasurer	1
Ordinary Council	
3 Members	

- (B) The office-bearers of the Association and every Officer performing executive functions in the Association shall be Malaysian Citizens
- (C) The term of tenure of office-bearers shall be 2 years and they shall be eligible for re-election
- (2) Names of the above offices shall be proposed and seconded and election will be made by way of a simple

majority vote of the members at every alternate Annual General Meeting.

- (3) The function of the Council is to organize and supervise the day-to-day activities of the Association and to make decisions on matters affecting its running within the general policy laid down by the General Meeting. The Council may not contrary to the expressed wishes of the General Meeting without 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.
- (4) The Council shall meet at least once in 3 months and a seven (7) days' notice of each meeting shall be given to the members. The President acting alone, or not less than four of its members of the Council to be held at any time. At least one-half (1/2) of the Council members must be present for its proceedings to be valid and to constitute a quorum.
- (5) Any member of the Council who fails to attend 3 consecutive meetings of the Council without satisfactory explanation shall be deemed to have resigned from the Council.
- (6) Where any urgent matter requiring the approval of the Council 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 Council is deemed to have been obtained:-
 - (a) The issue must be clearly set out in the circular and forwarded to all members of the Council
 - (b) At least one-half (1/2) of the members of the Council 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 Council meeting and recorded in the minutes thereof.

- (7) In the event of the death or resignation of a member of the Council, the candidate 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 office, the Council shall have the power to co-opt any other member of the Association to fill the vacancy until the next Annual General Meeting.
- (8) The Council shall give instruction to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint such organizers and such 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 Council or for any other reason which it deems good and sufficient in the interest of the Association.
- (9) The Council shall have the power to appoint sub-council for the furtherance of the objects of the Association as it may deems fit and to delegate to sub-council such powers as it may consider necessary and expedient and to withdraw from such sub-council all or any of the power so delegated and revoke all such appointments.

Rule 8 : **Duties of Office-Bearers**

- (1) The President shall during his/her term of office preside at all General Meetings and all Meetings of the Council and shall be responsible for the proper conduct of all such meetings. The President shall have the casting vote and shall sign the minutes of each meeting at the time they are approved. The President or the Secretary shall in conjunction with the Treasurer sign all cheques on behalf of the Association.

If the need arises, any two authorised signatories shall be sufficient to honour cheques and/or electronic disbursements.

- (2) The Vice- President shall assist the President in carrying out his duties and shall deputise for the President during the latter's absence.
- (3) The Secretary 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 Council. The Secretary shall be responsible for conducting all correspondences and keeping the books, documents and papers except the accounts and financial records. The Secretary shall maintain the membership register with particulars of name, age, identity card numbers (new & old), date and place of birth, occupation, name and address of employer and residence address of each member. The Secretary shall attend all meetings and record its proceedings. The Secretary or the President shall in conjunction with the Treasurer sign all cheques on behalf of the Association. The Secretary shall within 60 days after the holding of the Annual General Meeting of the Association, submit the annual returns of the Association to the Registrar of Societies as required under the Section 14 (1) of the Societies Act, 1966.
- (4) The Treasurer shall be responsible for the finances of the Association. The Treasurer shall keep accounts of all its financial transactions and shall be responsible for their correctness. The Treasurer shall, in conjunction with the President or the Secretary sign all cheques on behalf of the Association.
- (5) The Other Ordinary Council Members shall attend all meetings and shall assist the Council in the management of the Association.

Rule 9 : **Financial Provisions**

- (1) Subject to the following provisions in this rule, the funds of the Association may be expended for any purpose necessary for the carrying out its objects, including the expenses of its administration, the payment of salaries, allowances and 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 fines of any member who may be convicted in a Court of Law.
- (2) The Treasure may hold a petty cash advance not exceeding Ringgit: One Thousand Only (RM 1, 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 approved by the Council. The bank account shall be in the name of the Association.
- (3) All cheques or withdrawal notices of the Association's account shall be signed by the President or the Vice President and the Treasurer or Secretary.
- (4) Expenditure of RM1, 000.00 or less shall be approved jointly by the President and Treasurer. Any expenditure above RM1, 000.00 and up to RM5, 000.00 at any one time shall be approved by the President, Vice-President, Secretary and Treasurer. Council shall authorize expenditure up to RM75,000.00. Any expenditure in excess of RM75,000.00 shall require the prior approval of General Meeting.
- (5) After the end of each financial year, as soon as possible, a statement of receipts and payment together with the statement of income and expenditure and a balance sheet for the year shall be prepared by the Treasurer and audited by the Auditors appointed under rule 10 (1). The audited accounts shall be submitted for the approval of the next Annual General Meeting, and copies shall be made

available at the registered address or place of meeting of the Association for the perusal of members.

- (6) The date of the commencement of the financial year of the Association shall be from the 1st of January and shall end on the 31st December annually.

Rule 10 : **Auditors**

- (1) The members at the Annual General Meeting shall appoint a firm of qualified Accountants to be Auditors for the Association.
- (2) The 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. 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 Council.

Rule 11 : **Property**

- (1) The immovable property of the Association shall be registered in the name of the Association and all instruments relating to that property shall be valid and effective as if they had been executed by a registered proprietor provided that they are executed by three office-bearers for the time being of the Association whose appointments are authenticated by a Certificate of the Registrar of Societies and sealed with the seal of the Association
- (2) All immovable properties of the Association shall not be transferred, sold, charged, pledged or otherwise disposed off without the prior consent and authority of the General Meeting of members.

Rule 12 : **Interpretation of Rules**

- (1) Between Annual General Meetings, the Council 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 Council shall be binding on all members of the Association unless and until countermanded by a resolution of a General Meeting.

Rule 13 : **Advisor / Patron**

The Council shall if it deems fit and necessary appoint qualified persons to be the Advisor / Patron of the Association provided that prior written consent from the said persons have been obtained.

Rule 14 : **Prohibitions**

- (1) None of the following games shall be played in the premises of the Association: Roulette, Lotto, Fan Tan, Poh, Peh Bin, Pai Kau, Tau Ngau, Belangkai, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty-one, Thirty-one, Ten and a half, all games of dice, banker's games, billiard, snooker, video/computer games and all games of mere chance.
- (2) Neither the Association nor its members shall attempt to restrict or in any other manner interfere with the trade or engage in any trade union activities as defines in the Trade Union Act, 1959.
- (3) The Association shall not hold any lottery without license from the proper authority whether confined to its members or not, in the name of the Association or its office-bearers, Council or members

- (4) No 'benefits' as defined under Section 2 of the Societies Act, 1966 shall be given by the Society to any of its members.
- (5) No University or University College students shall be admitted as a member of the Society unless he or she has obtained a prior written permission from the Vice-Chancellor of the University concerned.

Rule 15 : **Amendment to Rules**

These Rules may not be altered or amended except by resolution of a General Meeting. Application for any such alterations or amendment shall be made to the Registrar of Societies within 60 days from the date of the decision to make the change or the amendment and shall take effect from the date of their approval by the Registrar of Societies.

Rule 16 : **Dissolution**

- (1) The Association may be voluntarily dissolved by a resolution of not less than three-fifths (3/5) of the total voting membership at 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 off in such manner as may be decided upon by a General Meeting.
- (3) Notice of dissolution shall be given within 14 days of the dissolution to the Registrar of Societies



President



Vice-President