



霹靂汽車裝修廠商公會

PERAK AUTOMOBILE WORKSHOP OWNERS' ASSOCIATION

NO. 18, PERSIARAN KIDD (OFF KIDD ROAD), 30200 IPOH, PERAK, MALAYSIA.

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PERAK AUTOMOBILE WORKSHOPOWNERS' ASSOCIATION
CONSTITUTIONS

CLAUSE 1 - NAME

1. The Association shall be known as

Persatuan Pemilik-Pemilik Woksyop Automobile Perak (Perak Automobile Workshop Owners' Association)"

herein after referred to as "The Association."

2. Meaning of name :

3. Level: Negeri

CLAUSE 2 - ADDRESS

1. The registered address is

**NO.18, PERSIARAN KIDD (OFF KIDD ROAD),
30200 IPOH
PERAK**

**Or at such other place as may from time to time be decided by the Committee;
And the postal address is**

**NO.18, PERSIARAN KIDD (OFF KIDD ROAD),
30200 IPOH
PERAK**

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

CLAUSE 3 - OBJECTIVE

The objects of this Association shall be liaise between members, to interchange technical knowledge, to raise the standard of working, to promote the welfare,

economic and social interest of its members and to offer its members facilities for social inter-course and healthy recreation.

CLAUSE 4 - MEMBERSHIP

Any person who is a Malaysian of good character engaged in the automobile repair industry shall be eligible for membership in the Association in one of the following four categories :

(A) Ordinary Membership

Any person who is a Malaysian of good character and is actively engaged in any one or more bona fide automobile repair businesses listed in sub-section 4(B) subject to the qualifications set forth in sub-section 4(C) in the State of Perak Darul Ridzuan shall be eligible to apply as an Ordinary Member.

(1) The types of Automobile Workshop related business shall include but not limited to:

- (i) Engine and Mechanical Services;**
- (ii) Repairs and fabrications of timber jinkers, buses, cargo trailers & Tanker**
- (iii) Fuel Pump Services;**
- (iv) Automobile Upholstery and Cushion Services;**
- (v) Spray painting;**
- (vi) Engine Block and Accessories Services;**
- (vii) Automobile Electrical Services;**
- (viii) Panel Beating ;**
- (ix) Towing and Recovery Truck Services;**
- (x) Radiator and Exhaust Repair Services;**
- (xi) Lubrication, Vacuum and Car Wash Services;**
- (xii) Automobile Air-Conditioning, Audio and Accessories;**
- (xiii) Insurance Claims Repair.**

(2) In order for a person/workshop to be eligible for Ordinary Membership, he must:

- (i) Have been actively engaged within the State of Perak Darul Ridzuan in the Automobile repair industry for at least one year before application for membership, or have at least one full-time employee with two or more years of experience in automotive repairs.**
- (ii) Derive more that one half of his gross income from automobile repairs.**
- (iii) Have the necessary tools, equipment, facilities, licenses and permits to Perform Automotive repairs.**

(3) All Ordinary Members shall enjoy all rights of the Association including the right to vote and right to stand for election provided that the eligibility of the right to vote and the right to stand for election shall only be upon completion of twelve [12] months continuous membership of the Association from the date of admission.

(B) Associate Membership

- (i) Any person who is a Malaysian of good character is a co-owner, partner or shareholder of an Ordinary Member of the Association shall be eligible to apply as an Associate Member of the Association.
- (ii) All Associate Members shall enjoy all rights of the Association except for the right to vote and the right to stand for election.

(C) Honorary Life Membership

- (i) Any person who is a Malaysian citizen of good character and has maintain continuous active membership of the Association for more than twenty [20] years shall be eligible to be appointed as a Honorary Life Member by a 2/3 vote of members present at a duly constituted meeting of the Executive Committee.
- (ii) The Honorary Life Membership shall be in the name of the qualified person and is non-transferrable.
- (iii) All Honorary Life Members shall enjoy all rights of the Association except for the right to vote and the right to stand for election.

(D) Allied Membership

- (i) Any legally registered company or any person who is a Malaysian citizen of good character who does not operate an automobile repair workshop, but which either conducts business in related automobile field in Malaysia, or shares the common interests and goals of the Association may be eligible to apply as Allied Member of the Association.
- (ii) All Allied Members shall enjoy all rights and perform his duty as a member of the Association except for the right to vote and the right to stand for election.

MEMBERSHIP APPLICATION

Every application for membership except for Honorary Life Membership shall be made in a Form prescribed by the Association signed and stamped by the applicant and the proposer who is a member of the Association shall be forwarded to the Executive Committee for approval. The Executive Committee may at its discretion reject any application without any reasons therefore.

- (i) Any approved membership except for Honorary Life Membership by the Executive Committee would only become valid upon payment of the full amount of Entrance and Subscription Fees.
- (ii) Any subsequent changes in the controlling interest of any approved member's business must be made known in writing within 30 days of such changes to the Association. The Association may at its discretion cancel the existing membership of the approved member without assigning any reasons therefore.

CLAUSE 5 - RESIGNATION AND TERMINATION

RESIGNATION :-

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.

SUSPENSION AND TERMINATION :-

The Executive Committee may suspend, terminate or discipline any membership with cause. The Executive Committee by affirmative vote of 2/3 of the Executive Committee present at any meetings at which a quorum exists, may suspend, terminate discipline or fine the memberships of any members;

- (i) For ceasing to qualify, in the Executive Committee judgment, for membership under provisions of this constitution;**
- (ii) For failing to subscribe in the Executive Committee judgment, to the Association By-laws or Guideline;**
- (iii) For unauthorized activities or statements in the name or on behalf of the Association or any Officer or Committee thereof without the consent of The Executive Committee; or**
- (iv) Conviction or fraud, negligence or any unlawful acts related to the Automobile repair industry.**

Provided that before the Executive Committee may be consider and act upon a motion to suspend, discipline or terminate a member, it shall by AR registered mail a statement of charges to the member at his last address at least 14 days before the date of hearing. The notice shall advise the member of the charge(s) and shall further advise him that he will be given an opportunity to present a defense at the time and place mentioned in such notice.

CLAUSE 6 - SOURCE OF INCOME

SUBSCRIPTION AND OTHER DUES

- (A) An Ordinary member or Allied Member who operates either a sole-proprietorship or partnership or limited company shall pay an entrance and annual subscription fees in accordance with the Paid-up Capital below:-**

From RM2 – RM 50,000.00: Ordinary Member shall pay RM500.00 and Allied Member shall pay RM250.00

From RM50,001 – RM 100,000.00: Ordinary Member shall pay RM750.00 and Allied Member shall pay RM375.00

From RM100,001 – RM 150,000.00: Ordinary Member shall pay RM1,000.00 and Allied Member shall pay RM500.00

From RM150,001 – RM 200,000.00: Ordinary Member shall pay RM1,250.00 and Allied Member shall pay RM625.00

From RM250,001 and above: Ordinary Member shall pay RM2,000.00 and Allied Member shall pay RM1,000.00

Annual Subscription Fees for Ordinary Member: RM180.00

Annual Subscription Fees for Allied Member: RM180.00

Any Associate member shall pay an entrance fee of RM50.00 and an annual subscription of RM50.00. Any Associate member who has withdraw his share in his respective workshop shall automatically ceases to be a member. For purpose of subscription payment, the subscription period shall be based on a calendar year basic.

- (B) All annual subscription shall be payable on or before the 31st Day of March each year.**
- (C) Any member who allows his subscription arrears to exceed one year shall receive a written notification signed by or on behalf of the Treasurer, shall be denied the privileges of membership until he settles his account.**
- (D) Any member who allows his subscription arrears to exceed 2 years shall automatically ceases to be a member of the Association, and the Committee may direct legal action be taken against him, provided that they are satisfied that he has received due notice of his debts.**
- (E) But under special circumstances, the committee has the discretion to waive or suspend provisions of Rule 6 (C).**
- (F) Special subscriptions or levies for particular purposes may be raised from the Committee and or members by the decision of the respective General Meeting of the Association.**

CLAUSE 7 - GENERAL MEETING

- (A) The Annual General Meeting of Members shall be the highest authority. At least 36 or one-half of the total membership of the Association whichever is less shall form the quorum for a General Meeting.**
- (B) If an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding 14 days) to be decided by the President or General Secretary and if a quorum is not present and hour after the time appointed for the postponed meeting, the members present shall have powers to proceed with the business of the day but they shall not have power to alter the rules of the Association or to make decisions affecting the rights of the whole membership.**
- (C) The Annual General Meeting of the Association shall be held on or before the 30th day of April each year on a date and at a time to be decided by the President or General Secretary.**
- (D) The business of the Annual General Meeting shall be :-**
 - (i) Address by the President**
 - (ii) Adoption of Minutes of last Meeting**
 - (iii) Report by General Secretary**
 - (iv) Report by Honorary Treasurer**
 - (v) Adoption of Audited Accounts of the Association for the previous year**
 - (vi) Discussion of proposals put forward by members and development of the Association**
 - (vii) Election of next Executive Committee and appointment of Auditors for a three (3) years term**

- (viii) To deal with such other matters arising
- (E) The Chairman and General Secretary shall give 14 days notice of the Annual General Meeting to all members. A copy of such notice shall also be put at the registered office of the Association.
- (F) An Extraordinary General Meeting of the Association shall be consider :-
 - (i) Whenever the Committee deems it desirable or
 - (ii) At the joint request in writing of not less than 25 members stating the objects & reasons for such meeting
- (G) An Extraordinary General Meeting of the Association requisitioned by not less than 25 members shall be convened at a date within 30 days of the receipt of such requisition. Notice and agenda for an extraordinary General Meeting shall be forwarded by the General .Secretary to all members at least fourteen days before the date fixed for the Meeting.

CLAUSE 8 - COMMITTEE

- (A) Once in every three (3) years, the members shall at the Annual General Meeting elect 18 members, with the 14 highest vote-obtained members forming the Executive Committee and the next highest vote-obtained members as reserves.
- (B) The 14 highest vote-obtained members shall elect amongst themselves the various office-bearers and upon, which shall appoint another 4 members to make up the Executive Committee as follows :-
 - (1) One President
 - (2) One Deputy President
 - (3) Two Vice President
 - (4) One General Secretary
 - (5) One Assistant General Secretary
 - (6) One Treasurer
 - (7) One Assistant Treasurer
 - (8) One Investigation Officer
 - (9) One Chinese Correspondence Secretary
 - (10) One English Correspondence Secretary
 - (11) One Bahasa Malaysia Correspondence Secretary
 - (12) Two Public Relation Officers
 - (13) Four Committee Members Appointed by Executive
- (C) The function of the Committee is to organize and supervise the day-to-day activities of the Association and to implement resolutions passed by the Annual General Meeting
- (D) The Executive Committee shall meet at least once every three months and 7 days notice of each meeting shall be given by the General Secretary to the members. The President acting alone or all members acting together, may call for a meeting of the Executive Committee. One-half of the Executive Committee shall constitute a quorum.
- (E) Any member of the Executive Committee who fails to attend any three consecutive committee meetings without proper written explanation shall deemed to have

voluntary resigned from the Executive Committee.

Any vacancy that arise by virtue of the above proviso shall be replaced according to the methods as follows:-

- (i) President shall only be replaced by the Deputy President or any one of the Vice President.**
- (ii) Deputy President shall only be replaced by any one of the Vice Presidents.**
- (iii) General Secretary and Treasurer shall only be replaced by their respective assistants. Assistant General Secretary or Assistant Treasurer shall only be replaced by any one of the existing Committee members.**
- (iv) Other Committee Members shall only be replaced by co-opting from the Reserve Committee Members Pool.**
- (F) In the even of the death or resignation of a member of the Executive Committee, the methods of Replacement for that vacancy shall follow that as provided under Rule (E).**
- (G) All members of the Executive Committee and every Officer performing executive functions in the Association shall be Malaysian Citizens of good characters.**

FORMATION OF SUB-COMMITTEE

- (A) In order to promote the activities of the Association, the following sub-committees shall be formed in an appropriate time :-**
 - (i) Recreation Sub-Committee – It shall be responsible for members’ recreation, physical exercise, musical activities, etc.**
 - (ii) Welfare Sub-Committee – It shall be responsible for all welfare work and render assistance, in any event of the death or marriage of members of the Association.**
 - (iii) Scholarship Sub-Committee – The Main aim of the formation of the Sub-Committee shall be to encourage children of members to study.**
- (B) Each of the above section will have a Sub-Committee Chairman and certain numbers of Sub-Committee members. The Sub-Committee Meetings may be convened by the Sub-Committee Chairman, all Sub-Committee Chairman shall be present Committees members.**

CLAUSE 9 - DUTIES OF OFFICE BEARERS

- (A) (i) The President shall preside at all General and Committee Meetings. He shall, in conjunction with General Secretary and the Hon.Treasurer, sign all cheques on behalf of the Association.
- (ii) The Deputy President shall be nominated to deputize for the President During the latter's absence.
- (iii) Any one of the Vice Presidents shall be nominated to deputize for the Deputy President during the latter's absence.
- (B) The General Secretary shall manage the affairs' of the Association under the directions of the President or Deputy President or Vice Presidents and shall be responsible for conducting all Correspondence and record proceedings at all meetings. He shall keep a membership register containing particulars of all members. He shall, in conjunction with the President and Treasurer sign all cheques on behalf of the Association. The Assistant General Secretary shall perform the duties of the General Secretary on the latter's absence.
- (C) The Hon. Treasurer shall be responsible for the finances of the Association. He Shall keep account of all its financial transactions. In conjunction with the President and the General Secretary, he shall sign all cheques on behalf of the Association. At the end of each financial year, he shall post up the audited accounts for the year on the year on the Association's premises for the perusal of members. The Assistant Hon.Treasurer shall perform the duties of the Hon.Treasurer in the latter's absence.
- (D) The Chinese, English and Bahasa Malaysia Secretaries shall be responsible for conducting all Correspondence and record the proceedings at all meetings in the respective languagr.
- (E) The Public Relation Officers shall attend to the functions of other Associations.
- (F) The Investigation Officer shall be responsible to investigate into member application.

OUTSTATION ASSISTANTS

Outstation Assistants shall assist the Association in the registration of members and to collect subscriptions. Their number shall depend on circumstances and their appointment shall be made by the Committee.

CLAUSE 10 - FINANCIAL PROVISION

- (A) Cash in hand of the Treasurer shall not exceed RM300.00. All money in excess of this sum shall within, 3 days of receipt be deposited in a bank named by the Committee. Cheques for withdrawals shall be signed by either two of the following Officers namely, the President, the General Secretary and the Treasurer in order to be valid.**
- (B) The President or General Secretary shall have the power for authorizing expenditure not exceeding RM500.00 (Ringgit Five Hundred Only) at any one time.**
- (C) The Executive Committee shall not approve a total expenditure exceeding RM5,000.00 (Ringgit Five Thousand Only) within every two months without prior approval of a General Meeting. The Above sum shall exclude monthly expenditure and expenditure for the organization Annual Anniversary Functions.**

CLAUSE 11 - AUDITORS

- (A) Two persons who shall not be Office-Bearers of the Association shall be appointed by the Annual General Meeting as Honorary Auditors. They shall hold office for three(3) years and may be reappointed.**
- (B) 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 Executive Committee.**

CLAUSE 12 - PROPERTY ADMINISTRATOR/TRUSTEES

- (A) The Immovable Property of the Association shall be registered in the name of the Association and All instruments relating to that property shall be executed by the President, Secretary and the Treasurer for the time being of the Association whose appointment are authenticated by a Certificate of the Registrar, and sealed with the Seal of the Association.**
- (B) The Immovable Property of the Association shall not be sold, withdrawn, mortgaged or transferred without the consent and authority of at least two-third of all eligible members of the Association at an Extraordinary General Meeting.**
- (C) All the Property Administrators of Properties of the Association shall categorically abide by the Resolution(s) passed and adopted by the Extraordinary General Meeting. Any attempts by the Property Administrator(s) to defy the resolution (s) is considered to have voluntarily resigned from the post (s) including the position (s) held in the Executive Committee of the Association. The post (s) thus left vacant shall be filled accordingly as provided by the Constitution of the Association.**

CLAUSE 13 - INTERPRETATION

- (A) Between annual general meetings, the Executive Committee shall interpret the rules of the Association and, if necessary, determine and point on which the rules are silent.
- (B) Except where they are contrary to, or inconsistent with the policy previously laid down by the general meeting, the decisions of the Executive 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
N/A

CLAUSE 15 - PROHIBITION

- (A) The taking of drugs on the premises and the introduction of prostitutes and bad characters into the Premises are strictly prohibited.
- (B) 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, Thirty-one, Ten and a half, All games of dice, basnker's games and all games of mere chance.
- (C) Neither the Association nor its members shall attempt or 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.
- (D) The Association shall not have any affiliation or connection with society established outside Malaysia.
- (E) The Association shall not hold any lottery, whether confined to its members or not, in the name of the Association or its Office-Bearers, Committee or Member.

CLAUSE 16 - AMENDMENT OF CONSTITUTION

These rules may not be altered or amended except by resolution of a General Meeting. Such alternations or amendments shall take effect from the date of their approval by the Registrar of Societies.

CLAUSE 17 - DISSOLUTION

The Association may be dissolved by a resolution of not less than two-third of the total ordinary membership. 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 a manner as may be decided upon by a General Meeting.

CLAUSE 18 – FLAG, LOGO AND BADGE

1 Flag

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Description

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1 Logo

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Description

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1 Badge

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Description

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**NOTE: 1) First amendments to Constitution made in 1997 approved by ROS on 06-08-1997.
2) Second amendments to Constitution made in 2001 approved by ROS on 21-11-2001
3) Third amendments to Constitution made in 2010 approved by ROS on 26-11-2010
4) Fourth amendments to Constitution made in 2018 approved by ROS in 2018**

