

THE MALAYSIAN WATER ASSOCIATION
EXTRAORDINARY GENERAL MEETING
20 JANUARY 2018
KOTA PERMAI GOLF & COUNTRY CLUB, SHAH ALAM

Amendment to MWA Constitution
Additional Clauses to Include for Establishment of Branch

CLAUSE 18 THE ESTABLISHMENT AND DISSOLUTION OF BRANCH

1. The Council may authorise the establishment of branches in other parts of Malaysia. The establishment of branches shall have the prior approval in writing by the Registrar of Societies in accordance to established procedures.

The Council may by a majority vote taken at a meeting to approve the formation of a Branch in any area where there are at least 20 members of the Association.

2. The Council may dissolve a Branch:
 - a. if for a consecutive period of 6 months the number of Branch members is below twenty (20); or
 - b. if the Branch refuses to abide by the rules of the Association or the decisions of the Council or if it is in the opinion of Council guilty of conduct detrimental to the Association.
3. A decision to dissolve a Branch shall be by a majority vote at a meeting of the Council, provided that before a decision is taken to dissolve a Branch on the ground stated in Clause 18 (2)(b) above the Branch concerned shall be given 30 days notice and an opportunity to answer the allegations.
4. The order of dissolution shall be signed by the Honorary Secretary General. On the receipt of such order the Branch shall cease to function except for the purpose of winding up. Any Branch aggrieved by an order of dissolution may, by notice in writing to the Honorary Secretary General within 30 days of its receipt, lodge and appeal to the Annual General Meeting or Extraordinary General Meeting of the Association.

Notwithstanding such appeal, the order of dissolution shall be operative until it is set aside, but in such circumstances the Council may appoint from among its members a caretaker committee to deal with the affairs of the Branch pending the hearing of the appeal.

5. In the event of a Branch being closed for the reason stated in Clause 18 (2)(a) of this Rule, the Council shall transfer the remaining members to the nearest Branch, and in the event of a Branch being closed for reason stated in Clause 18 (2)(b), the members shall cease to be members of the Association.

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6. It shall be the responsibility of the Chairman, the Secretary and the Treasurer of such Branch to deliver to the Honorary Secretary General all books, records, money and other property in the possession of the Branch, together with a statement of the accounts of the Branch from the date of the last submission of accounts to the date of the order of dissolution.
7. If the members of a Branch decide to secede from the Association, its office bearers shall forthwith prepare and deliver to the Honorary Secretary General all books, records, money and other property in the possession of the Branch, together with a statement of the accounts of the Branch as stated in Clause 18 (6) above.

CLAUSE 19 ANNUAL GENERAL MEETING OF BRANCH

1. The Branch Annual General Meeting shall be held not later than 30 days after receiving the prior notification of the Annual General Meeting, with the notice to all members stating the time, date and place of the Annual General Meeting of branches.
2. The business of the Annual General Meeting of the Branch is:
 - a. to receive and consider the Annual Report of the Branch which shall include the statement of Accounts and the Auditors' Report,
 - b. to elect members to the Branch Committee for the following two (2) years,
 - c. to elect two (2) Honorary Auditors,
 - d. to consider any other item on the agenda of which notice in writing has been given to the Branch Secretary seven (7) days before the meeting is due to be held.
3. The Branch Secretary shall send to each member at least 14 days before the Annual General Meeting of the Branch, an agenda including a copy of the annual report together with the statement of audited account of the branches for the past year. Copies of these documents are also made available for members at the branch office address.
4. At least one half (1/2) of the total members of the Branch who are entitled to vote or twice the number of Branch Committee members, whichever is less present at the Annual General Meeting of the Branch shall constitute the quorum at a meeting.

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5. In the event of a quorum not being present within forty-five (45) minutes of the hour fixed for the commencement of a meeting, the meeting shall stand adjourned to the same place and the same day and hour in the following week, when members present, whatever their number, shall constitute a quorum provided that they shall not have the power to amend the Constitution or pass any resolution that affects all members.
6. A Special General Meeting of branches shall be held:
 - a. at the direction of the Council or
 - b. when the Branch Committee thinks it is important; or
 - c. upon written request of not less than twenty (20) branch members by stating the purpose and reason for holding the meeting.
7. Special General Meeting of branches at the request of members shall be held within 30 days from the date of receipt of the request for the meeting.
8. Clauses 19 (6) and 19 (7) concerning the quorum and the adjournment of the Annual General Meeting of the Branch may be used for the Special Branch General Meeting, but provided that quorum is insufficient after 45 minutes of the hour from the time appointed for the Special General Meeting, the meeting shall be canceled and the Special Branch General Meeting at the request of members with the same purpose shall not be held within six (6) months from this date.
9. The Branch secretary shall send to each member and the Honorary Secretary General a copy of the record of every Branch General Meeting as soon as possible after the completion of the meeting.

CLAUSE 20 BRANCH COMMITTEE

1. a. A Branch Committee as follows to be known as branch office bearers shall comprise the following:
 - A Branch Chairman
 - A Branch Deputy Chairman
 - A Branch Secretary
 - A Branch Treasurer

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Member of the Ordinary Branch Committee not more than five (5);
Member of the Appointed Ordinary Branch Committee not more than four (4);

Branch Chairman with the consent of the Branch Committee may appoint no more than:

Four (4) Ordinary Members of the Committee at any time are required.

Appointment of Branch Committee Member shall be effective after the end of the two (2) year Annual General Meeting of the Branch.

b. All members who serve in Branch committees and every other officer who performs executive duties in the branch shall be Malaysian citizen

2. The names of the above positions shall be proposed and supported and elections are conducted by the Branch Secretary in the procedure following after Clauses 8 (13) (d) of the Association. All officers shall be re-elected every two (2) years. All officers may be re-elected but all officers other than the Members of the Ordinary Branch Committee shall not hold the same posts for more than two (2) consecutive terms. One term is two (2) years.
3. The Branch Committee's job is to manage and arrange the Branch's daily work in accordance with the Association Constitution and the directions of the Branch Committee and the Branch General Meeting. The Branch Committee shall meet at least once within three (3) months and one half (1/2) of its members shall form the quorum. The Branch Secretary shall give a copy of the notice of each meeting to the Honorary Secretary General not later than fourteen (14) days after the meeting.

CLAUSE 21 DUTIES OF BRANCH OFFICE BEARERS

1. The Branch Chairman shall during his term of office preside at all general and committee meetings and shall be responsible for their proper conduct. He shall have a casting vote and shall sign the minutes of each meeting at the time they are approved. He shall, in conjunction with the Branch Secretary and Treasurer, sign all cheques on behalf of the Branch.
2. The Branch Deputy Chairman shall deputies for the Branch Chairman during latter absence.

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3. The Branch Secretary shall conduct the business of the Branch in accordance with the rules of the Association, 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 papers except the accounts and financial records. He shall attend all meetings, and record the proceedings. In conjunction with the Branch Chairman and Branch Treasurer he shall sign all cheques on behalf of the Branch.
4. The Branch Treasurer shall be responsible for the finances of the Branch. He shall keep accounts of all its financial transactions and shall be responsible for their correctness. He shall, in conjunction with the Branch Chairman and the Branch Secretary sign all cheques on behalf of the Branch.
5. The Branch Ordinary Committee Members shall assist the Branch Chairman, Branch Vice Chairman, Branch Secretary, Branch Treasurer and the Branch Sub-Committees in the day to day running of the Branch.

CLAUSE 22 FINANCE OF THE BRANCH

1. All funds accumulated at the head Office or the Branches of the Association shall be the asset of the Association.
2. The Association Annual General Meeting shall decide from time to time the percentage of funds to be held by Branches as branch funds and shall also decide what types of expenditure shall be paid from Branch funds.
3. Every Branch Treasurer shall forward to the Honorary Treasurer General before the 15th of each month the subscriptions received by the Branch less percentage to be retained as branch funds.
4. The Branch Treasurer shall forward to the Honorary Treasurer General before the 15th of each month the funds received by the Branch less percentage to be retained as branch funds.
5. All Branch monies shall be deposited in the Branch's name within the bank agreed by the Branch Committee and the money will be managed jointly by the Branch Chairman, Branch Treasurer and Branch Secretary. The Branch Treasurer is allowed to petty cash of not more than RM2,000 (Ringgit Malaysia

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Two Thousand Only) at a time. All money in excess of this sum shall within seven days of receipt be deposited in a bank approved by the Committee. The bank account shall be in the name of the Association

6. Expenses exceeding RM50,000. (Ringgit Malaysia Fifty Thousand) at one time shall not be made without prior approval from Branch Committee and expenditure up to RM50,000 (Ringgit Malaysia Fifty Thousand) may be approved by the Branch Chairman together with the Branch Secretary and Branch Treasurer.
7. All monies, books and other property of the Association held by any Branch which is being dissolved shall be sent without delay by the Branch Secretary to the Honorary Secretary General together with a statement of account as stated in Clause 18 (6) and 18 (7).

CLAUSE 23 GENERAL RULES OF THE BRANCH

1. Where no special provision has been made in these Rules for any matter relating to the management of the affairs of the Branches of the Association, the relevant Clauses and rules relating to the Management of the Association in the Constitution shall be followed in so far as it is applicable.

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