



MALAYSIAN DENTAL ASSOCIATION
PERSATUAN DOKTOR PERGIGIAN MALAYSIA

(No. Pendaftaran PPM-003-14-13021952)

THE
**CONSTITUTION
AND BYLAWS**

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FOREWORD

Greetings from Malaysian Dental Association. It is an honour as the President for the term 2019/2021 to witness another momentous moment, from being put forth for debate and voting by the House and later approval by the Registrar of Society, the updated version of the Constitution and By-laws for Malaysian Dental Association. Indeed, in line with the current and complexity of the Association's machinery, there is a need for a constitution to be a "living document". It is of utmost importance that the day to day governance of the Association be transparent and be guided by the constitution. Equally important is that this piece of document not only serves as reference for the council members for exercising their duties but also by all members to exercise their rights. Thank you.

Dr Leong Kei Joe

On behalf of the council members for the term 2019/21

**CONSTITUTION OF MALAYSIAN DENTAL ASSOCIATION
(PERSATUAN DOKTOR PERGIGIAN MALAYSIA)**

ARTICLE 1 NAME

SECTION A

The name of the Association shall be PERSATUAN DOKTOR PERGIGIAN MALAYSIA (MALAYSIAN DENTAL ASSOCIATION).

The registered place of business of the Association shall be at D-5-1, Pusat Komersial Parklane, Jalan SS7/26, Kelana Jaya, 47301 Petaling Jaya, Selangor, Malaysia.

The registered place of business and the correspondence address shall not be changed without prior approval of the Registrar of Societies.

The place of meeting of the Association shall be at such a place as may be decided by the Council from time to time.

SECTION B

INTERPRETATION

1. MDA : To mean Malaysian Dental Association
2. Association :To mean Malaysian Dental Association
3. Council : To mean Malaysian Dental Association Council
4. Member : To mean member of the Malaysian Dental Association
5. BOT : To mean MDA property Board of Trustees
6. Words pertaining to the masculine gender shall include the feminine gender
7. Words pertaining to the singular shall apply to the plural and vice-versa

ARTICLE 2 PATRON

The Patron of the Association shall be the Most Honourable Prime Minister of Malaysia.

ARTICLE 3 EMBLEM

The MDA emblem consists of a double serpent entwined over a Malaysian Kris on a Malaysian star with 14 points in Malaysian colours.

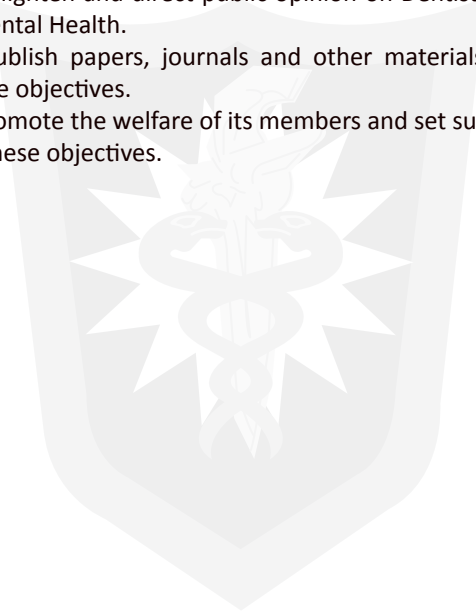
The two entwining serpents over the Malaysian Kris are to symbolise the Art of Healing. (The Kris in MDA's emblem replaced the internationally accepted aesculapian which is related the Creco-Roman God of Medicine)

The 14 pointed star in the background, as in the Jalur Gemilang (Stripes of Glory) represents the 13 states plus the Federal Territory acting in unison in the pursuit of good oral health for all.



ARTICLE 4 OBJECTIVES

1. To promote the Art and Science of Dentistry for the benefit of the Public.
2. To maintain the honour and interests of the Dental Profession.
3. To foster and preserve unity, aim and purpose of the Dental Profession as a whole.
4. To hold periodic meetings of members of the Association for the discussion of scientific subjects, professional matters and social events.
5. To encourage study and research in the field of Dental Sciences and related subjects.
6. To support and promote a high standard of ethics and professional conduct.
7. To enlighten and direct public opinion on Dentistry and on the problems of Dental Health.
8. To publish papers, journals and other materials in furtherance of the above objectives.
9. To promote the welfare of its members and set such funds as are required for these objectives.



ARTICLE 5 COMPOSITION OF THE ASSOCIATION

1. The Association shall function under the three (3) Regional zones namely:

NORTHERN ZONE to be known as the Malaysian Dental Association (Northern Zone) which comprises the States of:-

KEDAH
PERAK
PERLIS
PENANG
TERENGGANU
KELANTAN
PAHANG

SOUTHERN ZONE to be known as the Malaysian Dental Association (Southern Zone) which comprises the States of:-

SELANGOR
FEDERAL TERRITORIES OF KUALA LUMPUR AND PUTRAJAYA
MELAKA
JOHOR
NEGERI SEMBILAN

EASTERN ZONE to be known as the Malaysian Dental Association (Eastern Zone) which comprises the States of:-

SABAH
SARAWAK
FEDERAL TERRITORY OF LABUAN

ARTICLE 6 MEMBERSHIP

SECTION 1: TYPES OF MEMBERSHIP

Sub-section a. Ordinary Membership

Ordinary members shall be Malaysian citizens registered in Division I of the Dental Register under the Laws of Malaysia Act 51 Dental Act 1971.

Sub-section b. Associate Membership

The following shall be eligible for Associate Membership:-

- i) Any person holding a dental qualification recognized by the Malaysian Dental Council, provided such person is not residing in Malaysia.
- ii) Any non Malaysian citizen holding a dental qualification recognized by the Malaysian Dental Council, provided that such members are residing in Malaysia.
- iii) Accredited members of foreign national Dental Associations whose Associations extend reciprocal membership to members of MDA.
- iv) Members of the Allied Professions in Malaysia who contribute to the advancement of Dentistry.

Sub-section c. Life Membership.

Life members shall be ordinary members of the Association upon application, having been members of the Association continuously for a minimum period of twenty years and who have attained the age of 60 years. Expulsion or resignation shall be deemed as a break in continuity of membership.

Sub-section d. Honorary Membership

Honorary members shall be members of the dental profession of scientific eminence and/or persons who have rendered distinguished service to the Association or to the promotion of dental and allied science.

Sub-section e. Student Membership

Student Membership shall be opened to all Malaysian undergraduates in any University or University College Dental School and all Foreign undergraduates in any University or University College Dental School in Malaysia.

Sub-section f. Affiliate Membership

Affiliate membership shall be extended to Dental societies or organizations registered with the Registrar of Societies of Malaysia.

SECTION 2: ADMISSION AND PRIVILEGES OF MEMBERSHIP

Sub-section a. Ordinary, Associate and Life Members

- i) Every candidate for admission as an Ordinary or Associate member shall apply in writing to the Honorary General Secretary, giving the address at which he is practicing and his dental qualification (except in the case of dental undergraduates), and he must be proposed and seconded by two ordinary members in benefit or life members of the Association.
- ii) Members who qualify for Life membership under Article 6 Section 1 Sub-section c must inform the Honorary General Secretary in writing, of his eligibility to become a Life Member. There is no automatic admission to Life Membership.
- iii) When a candidate has been duly elected by the Council of the Association, the Honorary General Secretary of the Association shall, within one week notify him of his election and forward him a copy of the Constitution of the Association together with a receipt acknowledging payment of entrance fee and annual subscription.

Sub-section b. Ordinary and Life Members:-

- i) Have the right to actively participate in all General meetings of the Association.
- ii) Have the right to stand for election, to nominate or second a candidate for election, and to vote in the Association elections.

Sub-section c. Associate Members and Honorary members shall:-

- i) Have all the privileges of Ordinary and Life Membership except to participate in all General meetings of the Association or to vote, nominate or hold office in the Association.

Sub-section d. Honorary Membership

- i) Honorary members shall be members of the dental profession of scientific eminence and/or persons who have rendered distinguished service to the Association or to the promotion of dental and allied science.
- ii) The Honorary Member shall have been duly proposed by the Council without any dissenting votes with at least six weeks notice prior to the Annual General Meeting.
- iii) At least two thirds of the delegates present shall have voted in favour at the Annual General Meeting.
- iv) Notwithstanding Sub-section c above, Honorary Members who are registered in Division I of the Dental Register according to the Dental Act 1971 shall have all the privileges of Ordinary and Life Members including the eligibility to be nominated by the Association for appointment to National and International Bodies except the right to seek election to office in the Council of the Association.

Sub-section e. Affiliate Membership

- i) Application of Affiliate membership by any society or organization shall be forwarded to the Honorary General Secretary. The application shall be forwarded to the Annual General Meeting for approval. A simple majority shall prevail.
- ii) Affiliate Members shall have the privileges of using the facilities of the Association upon approval of the council.

Sub-section f. Student Membership.

- i) The Student Member shall inform the Association of his or her expected year of graduation at the time of entrance.
- ii) The Student Membership shall be changed to ordinary membership after the year of graduation subject to Article 6 Section 1 Sub-section a.

SECTION 3 OBLIGATIONS OF MEMBERSHIP

- i) All members shall abide by the MDA Constitution and By-Laws and not act in any way inconsistent with its objectives.
- ii) All members must notify the Honorary General Secretary of their change of address within 30 days of such change.

SECTION 4 CESSATION OF MEMBERSHIP

Sub-section a. Automatic

A member of the Association shall ipso-facto cease to be a member

- i) Upon his death, or
- ii) Upon his conviction in a court of laws for a felony, or
- iii) If he forfeits by misconduct any of the qualifications by virtue of which he became eligible for membership to the Association.

Sub-section b. Resignation

A member desiring to resign his membership of the Association shall notify the Honorary General Secretary in writing at least 30 days in advance before his current subscription is due. Such a member however, shall be required to pay any subscription or other monies owing by him to the Association.

Sub-section c. Non-payment of Subscription

- i) The privileges of a member will be suspended immediately if his subscription is in default.
- ii) A member who fails to pay up subscription for 12 months will be informed by the Honorary Financial Secretary and given notice accordingly via email, electronic messaging or telephone call. A notice to the last email submitted by the member will be deemed valid by itself.
- iii) Failure to pay up after 24 months will subject the member to termination of membership. No further notice shall be required.
- iv) Termination of membership shall be effective once affirmed by the council.

Sub-section d

The Council of the Association is empowered to terminate the membership of any associate or affiliate member without assigning any reasons therefor.

Sub-section e

Any society or organization shall cease to be an affiliate member of the Association if there is a change in the status by which it became eligible for membership.

SECTION 5 DISCIPLINARY ACTION

Disciplinary Action:- Reprimand, Suspension or Expulsion.

Any matter pertaining to discipline shall be under the purview of the Board of Inquiry established under the By-Laws.

Sub-section a. The following shall be grounds for reprimand or suspension or expulsion of all types of members.

- i) The council, on the advice of the Disciplinary Inquiry Board shall have the power to reprimand, suspend or expel any member of the Association:-
 - (a) Whose conduct shall, upon inquiry be calculated to be derogatory or detrimental to the honour and interest of the dental profession and/or the Association.
 - (b) Who offers himself or agrees to allow himself to be elected into office or any international and/or regional dental organization to which the Association is affiliated without the nomination by or approval of the Council.
 - (c) Who openly and actively supports a member whose activity falls under Section 5 subsection a(i)(b).
 - (d) A member of the Association who files a report against the Association with the Registrar of Societies or takes court action against the association without exhausting all the avenues provided for under the Constitution of the Association.

- ii) A majority of two-thirds of the members of the Council present and a quorum being established shall be required to over-rule the decisions of the Board of Inquiry.

Sub-section b. Any member, who has been suspended or expelled by the Association shall cease to represent the Association at any National or International Bodies.

SECTION 6. REINSTATEMENT

- i) A member who has resigned or has his membership terminated by default of subscriptions under Article 6 Section 4 Sub-section c (i) pursuant to Article 9 section 2(a), may appeal to a General Meeting of the Association for reinstatement. The decision of the General Meeting shall be final

provided at least two-thirds of the members present and voting shall have voted in favour of such resolution and provided his arrears of subscription from the year of termination has been settled.

- ii) Any member who have been suspended/ expelled under Section 6 may appeal through an Extra-Ordinary General meeting or at the Annual General Meeting whose decision shall be final provided at least two-thirds of the delegates present and voting shall have voted in favour of the resolution.

SECTION 7. REJECTION

The Council is empowered to reject any application for membership and is not obliged to enter correspondence nor give any reason to the applicant.



ARTICLE 7 COUNCIL

SECTION 1a COMPOSITION

- i) The President
- ii) The President-Elect
- iii) The Immediate Past President
- iv) Honorary General Secretary
- v) Assistant Honorary General Secretary
- vi) Honorary Financial Secretary
- vii) Assistant Honorary Financial Secretary
- viii) Honorary Publication Secretary
- ix) Three (3) elected Council Members
- x) Two (2) representatives each from Northern, Southern and Eastern Zones.
- xi) One (1) Ordinary Council Members appointed by the elected Council nominated by SCODOS.
- xii) One (1) Ordinary Council Member appointed by the elected Council nominated by MDAPPS.
- xiii) Three (3) appointed Council Members nominated by Elected Council.

SECTION 1 b

- i) All office-bearers of the Association and every officer performing executive functions in the Association shall be Malaysian citizens.
- ii) All representatives and nominated Council Members are subject to the approval of Council.
- iii) All Council Members are to serve the overall interest of the Association and not the sectorial section of their representation.

SECTION 2 ELECTIONS

All matters pertaining to the election of Officers of the Association shall be the sole care of the Elections Committee whose decision shall be final in the event of any dispute.

- a) The Speaker, the Deputy Speaker, the President-Elect, the Honorary General Secretary, the Assistant Honorary General Secretary, the Honorary Financial Secretary, the Assistant Honorary Financial Secretary, the Honorary Publication Secretary, the three (3) Council Members and the Standing Committees shall be elected at the Annual General Meeting and shall serve the Association for a term of two (2) years.
- b) Three (3) Council members shall be nominated by the Council at the first meeting and subject to the acceptance of such nomination shall hold office for a term of two (2) years in accordance with Article 7 Section 1.

- c) The Zone representatives shall be elected at the Zone level in accordance with Article 8
- d) Only persons who have served two (2) complete terms in the Council, not necessarily consecutively, shall be eligible for the nomination for President-Elect.
- e) Only members in benefit and present at the Annual General Meeting or those who have given prior written consent to the Honorary General Secretary are eligible for election. (Members in benefit is defined here as members whose subscription for the current year has been paid at the time of nomination).
- f) Nominations for all the elected posts in the Council, the Speaker, the Deputy Speaker and all Standing Committees shall be required to reach the office of the Association at least 30 days calculated from the date and time of the Annual General Meeting of the year. Each nomination shall be duly proposed and seconded with the consent and acceptance of the candidate.

SECTION 3 DUTIES AND POWERS OF OFFICE BEARERS

Sub-section a The duties and powers of the Council shall be:

- i) To execute the policies of the Association.
- ii) To appoint three (3) Council members of the Association in accordance with Article 7 Section 2(b).
- iii) To appoint the representatives to the Board of Trustees of The MDA Foundation, a private company limited by shares incorporated under The Companies Act, 1965.
- iv) To appoint members to fill any vacancies due to positions not filled at the Annual General Meeting or due to resignation.
- v) To appoint such committees as may be necessary to assist in the management of Association affairs.
- vi) To engage or employ office staff for the administration of the Association
- vii) To manage the financial affairs of the Association.
- viii) To authorize expenditure of the funds of the Association.
- ix) To accept resignations in accordance with Article 6 Section 4 Sub-section b.
- x) To recommend amendments to the Constitution in accordance with Article 11.
- xi) To appoint an Ethics Committee pursuant to the ethical rules of the Association, as and when deemed necessary.
- xii) To act on behalf of the Association, such action with reference to ethical matters affecting members of the Association as shall be deemed necessary
- xiii) To act with regards to subscription in accordance with Article 9 Section 2 para (g).

- xiv) To give a decision(s) on any matter not provided for in this Constitution.
- xv) To appoint annually, auditors who shall audit all accounts of the Association and sign the balance sheet which later shall be circulated with the Annual Report.
- xvi) To act generally on behalf of the Association in all matters wherein this Constitution does not expressly otherwise provide.
- xvii) To compile and print an Annual Report which together with the minutes and audited Financial Statement of Accounts shall be circulated to every member of the Association at least fourteen (14) days before the Annual General Meeting.
- xviii) The Council shall not approve any new members within thirty (30) days from the date of the Annual General Meeting to enable a proper election voting process.

Sub-section b Duties and Powers of the Officers of the Association

1. The Speaker / Deputy Speaker
 - i) The Speaker or the Deputy Speaker shall chair all General Meetings of the Association.
 - ii) He shall ensure decorum at all General Meetings to ensure a smooth deliberation and discussion.
 - iii) He shall have the powers to provide parliamentary procedures in debates.
 - iv) The Speaker or the Deputy Speaker shall have the powers to remove anyone for unruly behavior or who create disorder in the meeting.
 - v) The ruling of the Speaker or the Deputy Speaker is final.
2. The President
 - i) The President shall uphold the Objectives of the Association at all times.
 - ii) The President shall carry out such responsibilities as advised by the Council and as enshrined in the Constitution and By-Laws of the Association.
 - iii) The President shall take the chair at all meetings of the Council.
 - iv) The President shall have the right to call special General Meetings of the Council and the Association.
3. The President-Elect
 - i) The President-elect shall be elected at an Annual General Meeting and shall hold office for a term of two (2) years when he shall assume the office of the President until the following Annual General Meeting, after which he shall then relinquish that position to take up the office of Immediate Past president, for a term of two (2) years. Upon the completion of his term as the Immediate Past President, he shall be eligible for election to Council.

- ii) In the event the President-Elect at the end of his term of office, declines or is unable to assume the Presidency of the Association for any reason whatsoever, nominations for the post of President shall be called for. Only persons who have already served two (2) complete terms in the Council, not necessarily consecutively, shall be eligible for such nominations. A person elected to the post of President in the manner immediately aforesaid shall hold the post as if he had been the President- Elect immediately prior to his election as President and shall accordingly have all the rights and privileges accorded herein to a President who was a President-Elect immediately before assuming the Presidency.
4. The Immediate Past President
- i) The Immediate Past President shall serve as a member of the Council upon completing his term as President.
 - ii) All duties, powers and responsibilities of the President shall, in his absence, devolve upon the Immediate Past President.
5. The Honorary General Secretary
- i) The Honorary General Secretary shall be responsible for summoning all General Meeting of the Association and all Meetings of the Council.
 - ii) The Honorary General Secretary shall keep minutes of the General Meeting of the Council. He shall keep all members informed of all the important activities of the Association.
 - iii) The Honorary General Secretary shall conduct the correspondence of the Association under the direction of the President and Council and shall keep a register of all members of the Association.
 - iv) At least six (6) weeks before the date fixed for the Annual General Meeting of the Association, the Honorary General Secretary shall inform all members of the Association in writing of the days fixed for such Annual General Meeting, and their attention to Article 10 Section 1 Sub-section c 15.
 - v) At least two (2) weeks before the date fixed for the Annual General Meeting of the association, The Honorary General Secretary shall send to all members of the Association, the following:
 - i. The Agenda of the Meeting
 - ii. The Annual Report of the Council on the activities of the Association during the preceding year.
 - iii. The audited Financial Statement of Accounts for the preceding year
 - vi) All duties, powers and responsibilities of the Honorary General Secretary shall in his absence devolve upon the Assistant Honorary General Secretary.

6. The Honorary Financial Secretary

- i) The Honorary Financial Secretary shall be responsible for the collection and accounting of all the funds of the Association, and shall issue receipts for all payment made to the Association.
- ii) The Honorary Financial Secretary shall open such banking account or accounts as the Council may direct, and shall deposit therein all monies received by him on behalf of the Association in the name of the Association. All cheques issued by the Association in the name of the Association shall be signed by the Honorary Financial Secretary or Assistant Honorary Financial Secretary AND President or President-Elect.
- iii) The Honorary Financial Secretary shall give notice at least twice a year to all members whose subscription is in arrears.
- iv) The Honorary Financial Secretary shall be responsible for the preparation of the audited Financial Statement of Accounts referred to in Section 3 Sub-section b 5 v (iii) of this Article.
- v) The Honorary Financial Secretary shall prepare a recommendation of expenditure and income at the end of his term of office for consideration by the Incoming Honorary Financial Secretary and Council.
- vi) All duties, powers and responsibilities of the Honorary Financial Secretary shall in his absence, devolve upon the Assistant Honorary Financial Secretary.

7. Honorary Publication Secretary

- (i) The Honorary Publication Secretary shall be responsible to ensure the regular publishing of :
 - i. The Malaysian Dental Journal
 - ii. The Malaysian Dental Association Newsletter
 - iii. Any other publication(s) of the Association as authorized by the Council subject to the prior approval of the relevant authority.
- (ii) Unless otherwise stated, he shall ensure that the Editors present the views of the Council in accordance with the accepted Policies of the Association.
- (iii) The Honorary Publication Secretary shall be assisted by the Editor of the Malaysian Dental Journal and the Editorial Boards. There shall be a Business Manager for each of the publications.
- (iv) He shall submit the names of the two Editors and their respective Editorial Board for appointment by the Council for specific term.

8. The Nominated and Elected Council Members
They shall carry out such activities as directed by the President or the Council.

SECTION 4 VACANCIES

- (a) In the event of a vacancy occurring in the Council except for the post of President and President-Elect, from any cause whatsoever, the Council shall have the power to appoint any member of the Association to hold the office thereby vacated until the next Annual General Meeting.
- (b) Notwithstanding Article 7 Section 2 (a) and Section 4 (a), should the post of the President fall vacant, the Immediate Past President shall take over the office as acting President for the rest of the term of office.
- (c) Notwithstanding Article 7 Section 2 (a) and Section 4 (a), should the post of President-Elect fall vacant, it shall be left vacant until the next Annual General Meeting when a new candidate shall be elected as President-Elect and complete the rest of the term.

SECTION 5 MEETINGS

- a) Ordinary Meetings of the Council shall be held at least three (3) times a year.
- b) Special Meetings of the Council may be held from time to time and when the occasion arises.
- c) The Quorum for all Council Meetings shall be nine (9).
- d) The Quorum for all other committee meetings if not stated shall be at least half the number of the members of the committee.
- e) Notice of Ordinary meetings of the Council together with minutes of the previous meeting, the agenda, and other relevant documents shall be circulated to all members of the Council at least two (2) weeks before the date fixed for the Meeting.
- f) When an urgent matter requiring the approval of the Council arises and circumstances are such that it is impossible to convene a meeting, the President or the Honorary General Secretary shall obtain such approval by means of a Circular Letter. Any decision derived at by the Circular Letter shall be reported at the next meeting of the Council of the Association and recorded in the minutes thereof.

SECTION 6 COMMITTEES OF THE ASSOCIATION

(a) Standing Committee

All members of the Standing Committees shall be elected at the Annual General Meeting.

(b) The Standing Committees of the Association shall be :-

(i) The Disciplinary Enquiry Board

The Board shall consist of a Chairman, a Deputy Chairman and six members, all duly elected at the Annual General Meeting

(ii) The Elections Committee

The Committee shall consist of a Chairman, a Deputy Chairman and five members, all duly elected at the Annual General Meeting

(iii) The Patient Complaint Bureau

The Bureau shall consist of a Chairman, a Deputy Chairman and three members, all duly elected at the Annual General Meeting. The Bureau shall have the powers to co-opt MDA members into the committee when necessary.

(iv) The MDA Property Board of Trustees

The committee shall consist of a Chairman, a Secretary, a Treasurer and three members all duly elected at the Annual General Meeting and two members appointed by the Chairman of the MDA Property Board of Trustees within one month after the Annual General Meeting.

(c) The Council of the Association is empowered to form any other committee/subcommittee as it deems fit from time to time and shall decide on their respective terms of reference.

(d) All Standing Committees and Committees/Sub-Committees shall be guided by the Council in the execution of their respective duties and responsibilities.

(e) All Standing Committees and Committees/Sub-Committees shall make periodic report to the Council or when called upon by the Council.

(f) All Standing Committees and Committees/Sub-Committees shall prepare and submit an Annual Report to the Honorary General Secretary for inclusion in the Annual Report at the Annual General Meeting.

ARTICLE 8 ZONES

The Association shall be composed of three (3) Zones viz Northern, Southern and Eastern Zone.

SECTION 1 RESPONSIBILITIES

Sub-section a:- Each Zone shall be free to govern itself in such manner as it deems fit, subject nevertheless to the Constitution of the Association, and for this purpose shall be at liberty from time to time to make such By-Laws as it deems fit, and to repeal or alter the same as and when it considers it expedient to do so.

Sub-section b:- The By-Laws so made, under Article 8 Section 1 Sub-section (a) and for the time being in force shall be binding on the members constituting the Zone, in reference to which they are made.

Sub-section c:- Each Zone shall elect two (2) members from the Zone Committee who will be members of the Council of the Association for a term of two (2) years. The commencement of term of office shall follow the term of office of MDA Council. If any such elected member to the Council shall die or retire or otherwise cease to be a member of the Council before the expiration of his office, the Zone Committee shall be empowered to fill the vacancy or leave the position vacant until the next Annual General Meeting.

SECTION 2 ZONE COMMITTEE

Sub-section a Elections

Zone Committees shall be elected annually, by ballot at the Annual General Meeting of the Zone, to hold office for a term of two (2) years and shall be eligible for re-election.

Sub-section b Composition

The Zone Committee shall consist of:

- (i) Chairman
- (ii) Honorary Secretary
- (iii) Honorary Treasurer
- (iv) Five (5) Committee Members

Sub-section c Duties and Powers

- (i) An Annual Report shall be drawn by each Zone to reach the Council by the end of February of each year. The Annual Report shall comprise of:
 - a) Audited accounts for the year of the said respective Zone by a qualified accountant.

- b) The report of the activities of the Zone during the year.
- ii) Zone committees shall appoint an ad-hoc committee, as and when necessary to assist in the management of the Zone.
- iii) Zone committees shall be responsible for the management of the financial affairs of the Zone.
- iv) Zone Committees shall receive resignations from the committee for transmission to the Council and fill vacancies of the Committees.

Sub-section d Duties and Powers of each Zone of the Association:

- 1 The Chairman
 - (i) The Chairman shall carry out such duties as are assigned by the Council and or Zone committee.
 - (ii) The Chairman shall take the Chair at all General Meetings of the Zone and at all meetings of the Zone Committee
 - (iii) The Chairman shall have the right to call special meetings of the Zone Committee

- 2 The Honorary Secretary
 - (i) The Honorary Secretary shall be responsible for summoning all General meetings of the Zone and all meetings of the Zone Committee.
 - (ii) The Honorary Secretary shall keep minutes of the General Meetings and of all the meetings of the Zone Committee. He shall keep all members informed of any important activities of the Zone.
 - (iii) The Honorary Secretary shall conduct the correspondence of the Zone under the direction of the Chairman and/ or Zone Committee and shall keep a Register of all members of the Zone.
 - (iv) At least two (2) weeks before the date fixed for the Annual General Meeting of the Zone, the Honorary Secretary shall send to all members of the Zone:
 - i. The Agenda for the Meeting
 - ii. The Annual Report of the Zone Committee on the activities of the Zone during the preceding year.
 - iii. The audited Accounts for the preceding year.

- 3 The Honorary Treasurer
 - (i) The Honorary Treasurer shall be responsible for the collection and accounting of all funds of the Zone and be responsible for the financial affairs of the Zone in consultation with the Honorary Financial Secretary.

- (ii) The Honorary Treasurer shall operate a bank account and shall deposit therein all monies received by him on behalf of the Zone except for the petty cash amount not exceeding RM 100.00. All cheques issued by the Zone shall be signed by the Chairman and the Honorary Treasurer.
- (iii) The Honorary Treasurer shall be responsible for the procurement of the audited accounts by a qualified accountant of the Zone as referred to in Section 2, subsection c (i)(a) of this Article.

4 The Committee Members

They shall carry out such duties as directed by the Chairman or the Zone Committee.

Sub-section e Meetings

Each Zone Committee shall meet at least three (3) times a year.

Sub-section f Quorum

Three (3) members shall constitute the quorum.

SECTION 3 GENERAL MEETING

Sub-section a Annual General Meeting

- (i) Time
Zone Annual General Meeting shall be held on or before the 31st day of March of each year.
- (ii) Venue
The Meeting shall be held within a territory of the Zone agreed by the Committee
- (iii) Agenda
The Agenda shall include the Annual Report and the audited accounts by a qualified accountant.
- (iv) Notice
At least fourteen (14) days notice shall be given to every member of the Zone.

Sub-section b Ordinary Meetings

Ordinary Meetings shall be held as often as is deemed necessary.

Sub-section c Extraordinary General Meeting

- (i) The Chairman of the Zone Committee may direct the Honorary Secretary to call an Extraordinary General Meeting; or the Honorary Secretary shall call an Extraordinary General Meeting on the written request of twenty five (25) members, within thirty (30) days of such request.
- (ii) At least seven (7) days notice shall be given to every member of the Zone.

- (iii) No business shall be dealt with by the meeting other than that which has been specially called to consider.

Sub-section d Quorum

The quorum for all General Meetings of Zones shall be twenty five (25) members.

Sub-section e Voting

- (i) Voting at all Zone General Meetings shall be by show of hands, except as provided for in Article 8 Section 2 sub-section a.
- (ii) Ordinary members in benefit and life/honorary members present may vote
- (iv) Motions shall be declared carried by a simple majority vote.



ARTICLE 9 FINANCE

SECTION 1 FINANCIAL YEAR

The Financial Year shall be from 1st January to 31st December of each calendar year.

SECTION 2 ENTRANCE FEES AND SUBSCRIPTION

- (a) Ordinary members shall pay an entrance fee of RM100.00 immediately after election and an annual subscription of RM200.00 payable in advance.
- (b) Associate members shall pay an entrance fee of RM100.00 and an annual subscription of RM200.00
- (c) Notwithstanding Article 9 Section 2(b) above, student members shall be required to pay an annual subscription of RM50.00. The Council shall be empowered to waive the annual subscription of any particular student members.
- (d) Honorary and Life members shall not be required to pay annual subscription.
- (e) Affiliate members shall pay an annual subscription of RM100.00.
- (f) Subscriptions will fall due for payment on 1st January in each calendar year.
- (g) Non-payment of Subscription: Please refer to Article 6 Section 4 Sub-section c.

SECTION 3 COLLECTION OF SUBSCRIPTION

The subscription shall be collected by the Honorary Financial Secretary who shall be the custodian of such funds and shall keep true accounts of all monies received and expected and shall submit such periodical financial returns as the Council shall direct.

SECTION 4 RESERVES

All monies received by the Honorary Financial Secretary shall be deposited in the name of the Association in the bank.

SECTION 5 SIGNATORIES OF CHEQUES

All cheques must be signed by two (2) of the following:

- a) President or President-Elect and
- b) Honorary Financial Secretary or the Assistant Honorary Financial Secretary.

SECTION 6 PETTY CASH

The Honorary Financial Secretary may, subject to any directive from the Council, furnish the Honorary General Secretary with the sum of RM500.00 for miscellaneous petty expenses. Payments made by the Honorary General Secretary out of this sum may be replaced from time to time by the Honorary Financial Secretary.

SECTION 7 ZONE SUBSIDY

A yearly grant of up to a maximum of 1/4 (one-quarter) of the total annual subscriptions collected from the members of the Zone for the year shall be paid to the Zone.

SECTION 8 ACCOUNTS

The accounts shall be made up and closed on the 31st day of December in each year and a Balance Sheet showing the Assets and Liabilities of the Association shall be prepared by the Honorary Financial Secretary and audited by the Auditors appointed by the Council. The Accounts and Balance Sheet shall be signed by the Auditors and Honorary Financial Secretary and circulated to every member of the Association to reach them at least fourteen (14) days before the Annual General Meeting.

Section 9 AUTHORITIES FOR EXPENDITURE

- (a) The Honorary Financial Secretary shall prepare a proposed budget for the following year and tabled it in the AGM to seek for House approval.
- (b) Expenditures must be spent within the approved budget as approved by the House.
- (c) The Honorary Financial Secretary shall inform the Council when the expenditure of an item/project reaches 90% of the approved budget.
- (d) The Council has the authority to approve an additional budget of not more than 20% of the original approved budget.
- (e) Notwithstanding of the above,
 - (i) The President & Honorary Financial Secretary have the authority to approve any expenditure which is not prescribed in the approved budget up to the maximum of RM10,000.00
 - (ii) The Council has the authority to approve any expenditure which is not prescribed in the approved budget up to the maximum of RM500,000.00

ARTICLE 10

GENERAL MEETINGS

General Meetings of the Association shall be convened by the Honorary General Secretary and shall be:-

SECTION 1 THE ANNUAL GENERAL MEETING

Sub-section a. Time

The Annual General Meeting shall be held within six (6) months of each calendar year.

Sub-section b. Venue

Annual General Meetings shall be held at the venue as decided by the Council.

Sub-section c. Business

The order of an Annual General Meeting shall be:-

1. The President calls the meeting to order after confirming that the quorum has been met
2. A minute of silence in memory of departed members
3. To introduce and welcome new members
4. To propose the re-admission of members who have defaulted and have reapplied to join the association
5. The Speaker or Deputy Speaker takes the chair
6. To invite the Election Committee Chairman to conduct the election if it is an election year.
7. To adopt minutes of the previous Annual General Meeting of the Association
8. To discuss matters arising
9. To receive the Annual Report of the Council on the affairs of the Association for the preceding year
10. To receive the audited Financial Statement of accounts of the Association for the preceding year
11. To consider any proposed amendments to the Constitution in accordance with article 11
12. To invite the Election Committee Chairman to declare the results of the election if it is an election year.
13. To elect two (2) Honorary Internal Auditors for the ensuing year
14. To appoint the External Auditors for the ensuing year
15. To discuss any other business notice of which shall have been given to the honorary General Secretary in writing at least three (3) weeks before the date fixed for the Meeting

Sub-section d Notice

- (i) Every member shall be entitled to receive from the Honorary General Secretary, at least six (6) weeks notice of the Annual General Meeting.
- (ii) Every member shall also be entitled to receive at least fourteen (14) days before the meeting, the Annual Report, the Audited Financial Statement of Accounts and the agenda for the Meeting.
- (iii) Email notification to the last known email address of a member registered to the Association shall be deemed received by the member.
- (iv) Notwithstanding Article 10 Section 1 sub-section d (iii), notification by regular mail post will be sent to those without email addresses and shall be deemed received by the members.

SECTION 2. EXTRAORDINARY GENERAL MEETING

Sub-section a. Extraordinary General Meetings shall be convened by the Honorary General Secretary:

- (i) Upon the instruction of the President and or Council.
- (ii) Upon the written application to the Honorary General Secretary from any one hundred (100) Ordinary members in benefit or Honorary/Life members of the Association together with a written resolution for which the meeting is desired, based on the template provided by the MDA.
- (iii) The resolution of the EGM so convened shall not in any way contravene the constitution of the MDA

Sub-section b. Venue

Extraordinary General Meetings convened under Article 10 Section 2 Sub-Section a (i) or (ii) shall be held at a venue decided by the Council.

Sub-section c. Time

The Extraordinary General Meeting of the Association convened under Article 10 Section 2 Sub-section a shall be held within thirty (30) days of the receipt of the application. Email notification to the last known email address of a member registered to the Association shall be deemed received by the member. Notwithstanding the above, notification by regular mail post will be sent to those without email addresses and shall be deemed received by the members.

Sub-section d. Notice

At least seven (7) days notice of Extraordinary General Meeting together with the proposed Agenda shall be sent to every member of the Association.

Sub-section e. Restriction

Only the matter, for which such an Extraordinary General Meeting is called for, shall be on the Agenda.

SECTION 3. DELEGATES

Only Ordinary and Life members and Honorary members under Article 6 Section 2 sub-section d (iv) and who have fulfilled the requirements of Article 10 Section 6 shall be delegates at the Annual General Meeting.

SECTION 4. QUORUM

- (i) The Quorum for General meetings of the Association shall be fifty (50) members.
- (ii) If the members present at the Annual General Meeting do not constitute a quorum after one hour calculated from the time stated in the notice, the meeting shall be adjourned and reconvened at the same place and time within 30 days calculated from the time stated in the notice, on which occasion those present shall constitute the quorum.
- (iii) If the members present at the Extra Ordinary General Meeting do not constitute a quorum after one hour calculated from the time stated in the notice, the meeting shall be adjourned sine die.

SECTION 5. SPEAKER

The Speaker of the Association shall take the Chair at all General Meetings of the Association. In his absence, the Deputy Speaker shall take the Chair.

In the absence of the Speaker and the Deputy Speaker, the House reserves the right to elect an acting Speaker from the members present at the General Meeting.

SECTION 6. VOTING

Sub-section a

- (i) No members shall be entitled to vote at any Annual General Meeting unless monies presently payable by him to the Association has been paid.
- (ii) Only delegates present shall be eligible to vote on the resolutions.

Sub-section b

Voting at all General Meetings shall be by secret ballot. Voting other than by ballot shall be taken for any resolution, provided that the unanimous consent of the delegates present is obtained.

Sub-section c

Motions at General Meetings of the Association shall be declared carried by a simple majority vote.

Sub-section d

At all meetings, only members in benefit present can cast their votes.

SECTION 7. POWERS

All decisions made at General Meetings shall be binding on the members of the Association.

SECTION 8. INTERPRETATION OF CONSTITUTION and BY-LAWS

Whenever the Constitution & By-Laws are silent, the Council at the Council meeting or the General Membership at the General Meetings shall be empowered to interpret the Constitution and By-Laws

ARTICLE 11

AMENDMENTS TO THE CONSTITUTION

1. Any amendments to the Constitution shall be made at the Annual General Meeting.
2. The amendments must be duly proposed and seconded, and shall be put in writing to the Honorary General Secretary,
3. The Honorary General Secretary shall forward all proposals to the Constitution Amendments Committee.
4. All proposed amendments must be circulated to every member of the Association at least two (2) weeks before the Meeting.
5. Either the proposer or seconder must be present at the meeting before the amendment can be debated.
6. Amendments to the Constitution shall be carried only if at least two-third of the members present at the meeting shall have voted in favour.
7. All alterations or additions to the Constitution shall have the prior sanction of the Registrar of Societies.

ARTICLE 12

PUBLICATIONS OF THE MALAYSIAN DENTAL ASSOCIATION

- a) The Malaysian Dental Journal shall be the official publication of the Association.
- b) The Publication Secretary shall be responsible for all publications of the Association.

ARTICLE 13

DISSOLUTION OF THE ASSOCIATION

- a. The Association shall not be dissolved unless except with the consent of not less than three quarters (3/4) of the total number of ordinary members of the Association expressed either in person or by proxy at a General Meeting convened for the purpose or by a postal ballot.
- b. In the event of the Association being dissolved, all debt and liabilities legally incurred on behalf of the Association shall be fully discharged and the remaining funds shall be distributed as the Council shall deem fit.

ARTICLE 14

GENERAL

SECTION 1 PUBLIC AND PRESS STATEMENT

Sub-section a. The President or the Honorary General Secretary in consultation with the President shall be permitted to publish or write any correspondence or articles to the Government, the Press or any public body on matters pertaining to the Profession/ Association or in the name of the Association.

Sub-section b. The Council through its spokesman shall have the authority to issue any public statement as laid out in Article 14 Section 1 Sub-section (a).

SECTION 2 ACCESS TO RECORDS

Sub-section a. Every ordinary, life and Honorary member under Article 6 Section 2 sub-section d (iv) may have access to all the records, minutes and correspondence of the Association, provided two weeks notice is given to the Honorary General Secretary and subject to sub-section b below.

Sub-section b. The Honorary General Secretary, however, may at his discretion refuse such access when he considers that confidential matters disclosed may be against the interests of the Association. Under such circumstances a member may appeal to the Council whose decision shall be final.

SECTION 3 INDEMNIFICATION OF COUNCIL, COMMITTEE MEMBERS AND STAFF

Sub-section a. MDA shall indemnify and hold harmless MDA Council members, members of MDA Sections, zones, committees, the Speaker and his deputy and MDA Staff against all claims and liabilities and all costs and expenses, including attorney's fee, reasonably incurred or imposed upon such persons in connection with or resulting from any action, suit or proceeding, or the settlement or compromise of any action taken or omitted to be taken, in good faith, during such person's term of office.

Subsection b. This right of indemnification shall inure to such persons at the time such liabilities, cost or expenses are imposed or incurred and, in the event of such person's death, shall extend to such person's legal representatives.

ARTICLE 15

BY-LAWS OF THE MALAYSIAN DENTAL ASSOCIATION

The Association shall have a set of By-Laws to complement the Constitution. The By-Laws shall be duly proposed, adopted or amended from time to time at the Annual General Meetings as therein provided.

BY-LAW I

ELECTION PROCEDURES

The following shall be the procedures in the conduct of the election at the Annual General Meeting:-

- (i) All members of the association shall register their attendance.
- (ii) At the registration, all members in benefit shall be given membership identification card by the election officers.
- (iii) After the Speaker has announced the commencement of voting, members shall proceed to the voting room.
- (iv) Each member shall give the membership identification card to the election officer on duty.
- (v) The election officer shall then pass to the member a ballot paper containing the names of all candidates and the posts to be contested.
- (vi) Each member shall mark with a cross within the box of the candidate of their choice.

(vii) The ballot paper shall then be placed into the box provided.

Volunteers deemed fit shall be invited to serve as Election Officers. The scrutineers shall check all ballot boxes as well as ballot papers as well as witness the counting of the ballots.

BY-LAW II

DISCIPLINARY INQUIRY BOARD

Disciplinary Inquiry Board shall consist of a Chairman, a Deputy Chairman, and six members of the committee all duly elected at the Annual General Meeting. The Board, none of whom shall be members of the Council at that material or any time thereof for the duration of that inquiry shall institute an inquiry proceeding pertaining to the complaints. There shall be a Legal Advisor appointed by council.

Disciplinary Inquiry Procedures.

1. The Council of the Association and the Disciplinary Inquiry Board shall have the power to receive all complaints. On the receipt of any such complaint, the Council shall notify the Disciplinary Inquiry Board who shall convene the first meeting within 30 days.
2. The Board of Inquiry shall, after it has completed its investigation present a written report of its findings, including recommendations for action as it deems fit.
3. The Council, on the advice of the Board may recommend that no action to be taken. However, if such conduct shall be held to such as to render him liable to suspension or expulsion under Article 6 Section 5 of the Constitution of the Association, the appropriate penalty of reprimand, suspension or expulsion may be imposed.
4. All legal cost incurred shall be borne by the Association.
5. The quorum for any meeting of the Board of Inquiry shall be four(4)
6. The members of the Board present at the first meeting of the Board shall continue to be present at every subsequent meeting for the duration of the inquiry without addition or substitution of their number.
7. A majority of two-third (2/3) of the members present at the meeting of the Board shall be required to confirm the findings and recommendations of the Board in each instance.

8. Should the member, for whom the inquiry is being held, is a member of the Council at that time, he shall disqualify himself from the participation of any deliberation or decision that the Council may undertake directly or indirectly related to the complaint.
9. No less that fourteen (14) days notice of meeting, at which the inquiry is to be held, shall be given, by the Board of Inquiry, to the member implicated. He shall then be at liberty, if he so chooses, to attend the meeting for the purpose of explaining his conduct. No member, other than those on the Board and the member, for whom the inquiry is being held, may attend the meeting without prior approval of the Board.
10. All communications shall be to the last known address via AR registered or email address of the member.
11. The inquiry committee shall sit until the case is completed.

BY-LAW III

ELECTION COMMITTEE

The Election Committee shall consist of a Chairman, a Deputy Chairman and five (5) members of the committee all duly elected at the Annual General Meeting. The Committee, none of whom shall be members of the Council at that material or any time thereof for the duration of that inquiry shall be solely responsible for:-

- (a) Calling for nominations in accordance with Article 7 Section 2 (f) of the Constitution.
- (b) Preparation of instrument of ballot.
- (c) Conducting the election at the Annual General Meeting
- (d) A nominee to the Elections Committee shall have declared his intention not to offer himself as a candidate for any of the posts being contested for and this decision shall be irreversible.
- (e) Members of the Elections Committee shall not be eligible to propose or second any candidates for election as well in any campaign.
- (f) The Chairman and in his absence the Deputy Chairman shall be responsible for calling and receiving nominations in accordance with Article 7 Section 2 (f) of the Constitution of MDA.
- (g) The Committee with assistance of the staff or volunteers of the Association shall prepare the instrument of ballot.
- (h) Chairman of the Elections Committee shall take the Chair of the meeting for the duration of the election procedure. In his absence, the Deputy Chairman or a committee member nominated by the members to serve in his stead.

- (i) The Chairman shall:-
 - i. Seek volunteers to be scrutineers for the voting. A minimum of 5 and a maximum of 10 will be required.
 - ii. Introduce the candidates for the position of President-Elect and allow each 5 minutes to address the members.
 - iii. Announce the commencement of voting.
- (j) In the event of a dispute, the Elections Committee shall meet to decide on the dispute. If the dispute involves the Election Committee, the dispute shall be referred to the Board of Inquiry Committee.
- (k) The quorum for any meeting of the committee shall be three(3)
- (l) In the event of a vacancy arising within the committee whatsoever, the remaining members shall be empowered to co-opt another who shall have fulfilled the necessary criteria for appointment.
- (m) The term of office of the elections committee shall end at the end of the Annual General Meeting. They shall, however, be eligible for re-nomination, provided that they continue to satisfy the criteria set out in Article 7, Section 2.

BY-LAW IV

THE PATIENT COMPLAINT BUREAU

The Patient Complaint Bureau shall consist of a Chairman, a Deputy Chairman and three (3) members of the bureau all duly elected at the Annual General Meeting. The Bureau shall be solely responsible for any complaints from patients of members. The term of the bureau shall be for three (3) years

1. The Chairman is eligible to serve a maximum of two full terms or six years.
2. The members at the end of three years are eligible for re-appointment.
3. All members of the Bureau be provided with training
4. The Patient Compliant Bureau shall prepare a set of procedures for handling all complains. The set of procedures will form part of the bylaw. These bylaws shall be amended when the need arises.
5. The Committee shall report the results of cases mediated by the committee to every Council Meeting.
6. The Committee may inform the professional indemnity body appointed by the association all complaints received by the committee.
7. The Bureau still only serve MDA members in benefit.

BY-LAW V

MDA PROPERTY BOARD OF TRUSTEES

The MDA Board of Trustees committee shall consist of a Chairman, a Secretary, a Treasurer and three members all duly elected at the Annual General Meeting and two members appointed by the council within one month after the Annual General Meeting.

The Association:-

- 1) May acquire by purchase, hire, lease, grant or sell any moveable or immovable properties in furtherance of the objectives of the Association.
- 2) May receive, borrow or invest monies for any of the objectives of the Association.
- 3) All property and income of the Association shall be applied solely towards the promotion of the objectives of the Association.

The Trustees:-

- 1) Shall not be members of Council or Zone Committees.
- 2) Shall not have vested in them all immovable property whatsoever belonging to the Association.
- 3) Shall not sell, withdraw or transfer any of the property of the Association without the consent and authority of a General Meeting of members.
- 4) Shall authorize the President of the Association to sign all Agreements for any land or building owned by the Association.
- 5) Shall ensure that no documents of purchase, sale or mortgage of immovable property of the Association shall be certified or signed by the Trustees unless a resolution to purchase, sell or mortgage the property has been adopted by a majority of two-thirds of the votes of members present at a General Meeting.
- 6) Shall be charged with the management of any surplus funds not required for the use of the Association and once so vested shall not be utilized by the Council without prior approval of two thirds of the members present and voting at a General Meeting.
- 7) May make available to the Council to utilize the interest or dividends of such surplus funds invested in accordance with the Trustees Act or any Statutory modification thereon solely for the objects of the Association.

Any or all of the Trustees may be removed from office by a resolution passed by a majority of two-thirds of votes of members present at a General Meeting.

BY-LAW VI

FINANCIAL PROCEDURES OF THE MALAYSIAN DENTAL ASSOCIATION

1. Operation of MDA Current Accounts
 - a. The Malaysian Dental Association shall operate the following current accounts:
 - i. Daily Operating Account
 - ii. Professional Indemnity Body Accounts
 - iii. Event Account(s) One account to be opened for each project
 - iv. Accounts of each zone
 - b. The Event account should be presented to the council three months after the event and closed after six months.
 - c. The signatories of the Event account should be the following:
 - (i) Forming Group one with anyone to sign
 - a) The MDA President
 - b) The MDA Financial Secretary
 - (ii) Forming Group two with anyone to sign
 - a) The Organizing Chairman of the Event
 - b) The Treasurer of the Event
2. Internal transfer of funds
 - a. Internal transfer of funds from any of the Current Accounts or from Fixed Deposit Accounts must be approved by the MDA Council
 - b. Contra accounting of income and expenditure for all current accounts is prohibited.
3. Petty Cash
 - a. A maximum sum of RM500 petty cash is permitted
4. Claims for reimbursement
 - a. Council members are entitled to claim for traveling and hotel accommodation to attend Council Meetings on production of receipts. Council members can claim for traveling mileage based on the rates approved by the council. When Council members car pool only the driver can make traveling claim.
 - b. MDA members serving as Delegates and Alternate Delegates to international Conferences in which the MDA is a member will be reimbursed economy Airfare by the most direct route, registration fees and hotel accommodation at the convention hotel
 - c. Speakers will be reimbursed their airfare, hotel accommodation and living expenses incurred on production of receipts.

- 5 Use of personal credit cards
 - a. Payment above RM5000 on behalf of MDA shall not be allowed unless approved by the President & Honorary Financial Secretary.
 - b. The MDA may subscribe to a suitable credit card or charge card for use by the President

6. Related party transaction
 - a. MDA members involved in transactions of the Association with companies in which they are an involved party must declare their interest in advance.

- 7 Purchase by tender
 - a. Any purchase of equipment or supplies by the MDA costing more than RM1,000 must be from the lowest of three quotations.
 - b. Any purchase of equipment or supplies by the MDA costing more than RM10,000 must be through an open tender exercise.

- 8 MDA Accounts
 - a. The accounts of the Northern Zone, Southern Zone and Eastern Zone, and all Events will be consolidated into the main MDA account.
 - b. The audited MDA account shall be published in the Annual Report
 - c. All outstanding creditors and debtors must be included in the audited account
 - d. All income that cannot be collected shall be written off after approval of the MDA Council.

BY-LAW VII

INTERNATIONAL RELATIONS ACTIVITIES

1. Members must either be nominated or obtain the prior approval of the Malaysian Dental Association Council before offering themselves or agree to allow himself or herself for election to hold office in International Dental organizations.
2. Invitations to host international meetings (conference, workshop, seminar etc) must be approved by the Annual General Meeting or Extra Ordinary General Meeting on the recommendation of the Malaysian Dental Association Council before the invitation is issued. After the approval is obtained the invitation must be issued by the President of the Association.
3. The Chairman of the Organizing Committee must be appointed by the Annual General Meeting or Extra Ordinary General Meeting of the Association.

4. The Chairman shall report periodically on the progress of the organization of the event to the Annual General Meeting and the Council of the Malaysian Dental Association.
5. One of the signatories of the account for the event must be the incumbent Treasurer of the Malaysian Dental Association.
6. All income and expenditure incurred in the organization of the international meeting must be paid into and from the account opened for the event.
7. All the provisions in By-Law III, Financial Procedures of the Malaysian Dental Association must be complied by the Organizing Committee of any international Events
8. To amend these By-Laws and make additions as and when the need arises.

BY-LAW VIII

PUBLICATIONS OF THE MALAYSIAN DENTAL ASSOCIATION

- a) The Malaysian Dental Journal shall be the official publication of the Association.
- b) The Publication Secretary shall be responsible for all publications of the Association.
 - i. The editor of the Malaysian Dental Journal shall be responsible for the publication of such journals, periodicals and proceeding of scientific meetings of the Association as the Council may from time to time decide.
 - ii. The appointment of Editor of the Journal shall assume office upon the completion of the current volume.
 - iii. The Editor of the Journal shall be assisted in his duties by an editorial Board appointed by the Councils
 - iv. The MDA Newsletter is for the purpose of:
 - (c) Keeping the members informed of matters of the Association.
 - (d) Promoting and organizing through the newsletter interaction among the members and an interest in improving themselves through educational activities.
 - (e) To achieve the above, it may also publish literature or extract in the newsletter to increase the members technical, cultural or social knowledge.
 - (f) The editor of the MDA Newsletter shall be assisted in his duty by an Editorial Board appointed by Council.
 - (g) The Newsletter editorial Board will have at least one (1) representative from each zone.

BY-LAW IX

RECOGNITION AND HONOURS

(A) HONORARY MEMBERSHIP

The Honorary Membership is the highest recognition given by the association to any individual.

This is an award of exemplary excellence membership elected by the following process:

- (i) Proposal for Honorary Membership must be unanimously approved by Council.
- (ii) The Election to Honorary Membership must be at the Annual general meeting with no deliberation allowed and must be with no dissenting votes.
- (iii) Six (6) weeks notice of such proposals be given to members of the Association.

Criteria

- (i) Members of the dental profession of scientific eminence and or persons who have rendered distinguished service to the Association or to the promotion of dental and allied sciences
- (ii) Should exhibit exemplary character and impeccable integrity.
- (iii) Made significant contribution to the Association and preferably held office of President.
- (iv) Rendered outstanding service in advancement and progress of Dentistry.
- (v) Contributed to the recognition and advancement of the dental profession locally and overseas.

Privileges

Elected members shall receive a certificate of Honorary Membership.

(B) CERTIFICATE OF MERIT

This Certificate of Merit is given for meritorious service to the association.

This is an award of excellence category lower than honorary membership elected by the following process:

- (i) Proposal for certificate of Merit must be unanimously approved by Council.
- (ii) Election is at Annual general meeting with at least two-thirds (2/3) of the delegates voting in favour.
- (iii) Six (6) weeks notice of such proposals be given to members of the Association.

Criteria

- (i) Distinguished member of the Association of at least ten (10) years good standing.
- (ii) Should exhibit exemplary character and impeccable integrity.
- (iii) Made significant contribution to the Association and preferably held office in the Council, Zone Committee or affiliate societies.
- (iv) Rendered meritorious service in advancement and progress of Dentistry in the private sector, universities or government service.
- (v) Contributed to the recognition and advancement of the dental profession locally and overseas.

Privileges

Elected members shall receive a certificate of Merit and will continue to enjoy the privileges of an Ordinary or Life Member.

BY-LAW X

AFFILIATE MEMBERS

Affiliate members shall have the privileges of using the facilities of the Association. The Annual Membership Fee for Affiliates members is RM100 per year.

BY-Law XI

SECTION CONCERNING DENTAL OFFICERS AND SPECIALISTS (SCODOS)

1. The Section to be known as Section Concerning Dental Officers and Specialists (SCODOS) which is based at the registered address of the Malaysian Dental Association. The Section shall be governed by the Malaysian Dental Association (MDA) Constitution and Council with the following objectives.
 - a. It shall be a section under the MDA, functioning as a consultative body in matters pertaining to the dental practitioners in the public sector.
 - b. It shall act as a working committee to maintain the interest and to promote the welfare of dental practitioners in the public sector.
 - c. To encourage dental practitioners in the public sector to become MDA members and to take part in activities of the MDA.

2. MEMBERS OF SCODOS

All MDA members employed in the public sector shall be deemed members of SCODOS.

3. MANAGEMENT OF SCODOS

Executive Committee of SCODOS shall function as the principal body of SCODOS. The post of the Executive Members of SCODOS shall be elected at the SCODOS AGM (SCODOS biennial General Meeting).

Composition of the SCODOS Executive Committee

The Executive Members of SCODOS shall consist of:

A Chairman

An Immediate Past Chairman

A Chairman Elect

A Secretary

A Treasurer

An Assistant Secretary

4. SCODOS STATE REPRESENTATIVES

There shall be a SCODOS State Representative for each state. However, they are not part of the SCODOS Executive Committee. The nomination of the state representatives is either done during the election of the SCODOS AGM or by the SCODOS Executive Committee.

5. MEMBERS OF SCODOS EXECUTIVE COMMITTEE

- a. The Chairman
The Chairman shall take the Chair at all meetings of the SCODOS. He/She shall have a casting vote in addition to his/her vote as a member. He/She shall be the SCODOS representative on the MDA Council.
- b. Immediate Past Chairman
The Immediate Past Chairman shall offer advice to the Executive Committee in matters pertaining to SCODOS.
- c. Chairman Elect
The Chairman Elect will perform all the functions in the absence of the Chairman.
- d. The Secretary
The Secretary of SCODOS Executive Committee shall have the duty in consultation with the Chairman, of calling for meetings. He/She shall prepare and submit the minutes of the meetings to the MDA Council. He/She shall conduct all other correspondence of SCODOS. He/She shall submit the Annual Report of SCODOS to the MDA Council at the end of each term.
- e. The Assistant Secretary
The Assistant Secretary shall assist the Secretary, and shall be responsible for any other duties delegated to them by the SCODOS Executive Committee.
- f. The Treasurer
The Treasurer shall manage the funds of SCODOS. He/She is to prepare an annual budget for approval at the beginning of the year and a Statement of Accounts at the end of the year to the MDA Council.

6. SCODOS EXECUTIVE COMMITTEE MEETINGS

- a. The newly formed SCODOS Executive Committee shall meet within two (2) months after the SCODOS AGM at which it is elected.
- b. The SCODOS Executive Committee shall meet at least twice a year preferably at six (6) months intervals.
- c. The Chairman shall preside at all meetings of the SCODOS Executive Committee.
- d. One half of the total number of SCODOS Executive Committee shall form the quorum.
- e. The Notice of the SCODOS Executive Committee meeting shall be sent two (2) weeks before the meeting by the SCODOS Secretary.

7. VACANCIES

The SCODOS Executive Committee at its next meeting shall nominate one of its SCODOS members to act on vacancies in the SCODOS Executive Committee which are permanent, i.e. the post of Chairman, Immediate Past Chairman, Chairman Elect, Secretary, Treasurer, and Assistant Secretary.

8. ANNUAL GENERAL MEETING

The SCODOS AGM and biennial election shall be held before 31 December each Calendar year.

- a. The notice of the SCODOS Annual General Meeting shall be sent to all SCODOS members at least two (2) weeks before the fixed date by the SCODOS Secretary and he/she shall call for Resolution for discussion at the Annual General Meeting. Any member desirous of moving any Resolution at the SCODOS Annual General Meeting shall give notice in writing duly proposed and seconded to the SCODOS Honorary Secretary not less than (8) weeks before the date of the SCODOS Annual General Meeting.
- b. The proposer and seconder must be present at the AGM in order for the resolution to be debated.
- c. The agenda of the SCODOS Annual General Meeting, which shall be as follows, shall be informed to members of SCODOS before the SCODOS Annual General Meeting.

AGENDA

- 1 To adopt minutes of the previous SCODOS Annual General Meeting.
- 2 To discuss arising matters.
- 3 To adopt the Annual Report for the preceding year.
- 4 To adopt the Statement of Accounts for the preceding year.
- 5 To elect the SCODOS Executive Committee Members in every two (2) years.
- 6 To decide on any resolution which have been duly submitted.
- 7 Any amendment on SCODOS Terms of Reference shall adhere to the article II of MDA Constitution.

9. QUORUM

The quorum at all Annual General Meetings of SCODOS shall be at least 25.

PROCEDURES OF ELECTION

- a. Elections Committee. The MDA Council shall appoint a member of the MDA Elections Committee to conduct the elections.
- b. Nominations are called for the following post: Chairman, Chairman-Elect, Secretary, Assistant Secretary, and Treasurer.

- c. Nominations are accepted from the floor. Nominations by proxy is allowed as long as the signed consent of the nominee is presented.
- d. Voting is by secret ballot and a simple majority determines the winner. Proxy votes are not entertained.

10. FINANCES

- a. The SCODOS Executive Committee shall receive an allocation of funds upon approval from the MDA Council for its activities as a section of the MDA.
- b. Quantum of annual fund allocation is determined according to Council's discretion.

11. GENERAL PROVISIONS

- a. Any other matter or matters not covered by these Terms of References shall be dealt with according to the provision of the MDA Constitution.
- b. In case of any dispute as to the interpretation, construction, rendering and meaning of all or any of these Terms of References or of any word or words contained in the Terms of Reference, the interpretation, construction, rendering and meaning determined and fixed by the Council of MDA shall be final and conclusive.

BY-LAW XII

PRIVATE PRACTITIONERS' SECTION (MDAPPS)

1. The Section called as the Malaysian Dental Association Private Practitioners' Section (MDAPPS) is based at the registered address of the Malaysian Dental Association. The MDAPPS is formed under the authority of the MDA Council and governed in accordance to the Constitution of the Malaysian Dental Association (MDA).
 - a. It shall be a section under the MDA, functioning as a consultative body in matters pertaining to the dental practitioners in the private sector.
 - b. It shall act as a working committee to maintain the interests and to promote the welfare of dental practitioners in the private sector.
 - c. To encourage dental practitioners in the private sector to become MDA members and to take part in activities of the MDA.
2. Members of MDAPPS
 - a. All MDA members in benefit in the private sector shall be deemed members of MDAPPS.
3. Management of MDAPPS
 - a. Executive Committee of MDAPPS shall function as the principal body of MDAPPS. The post of the Executive Members of MDAPPS shall be elected at the MDAPPS AGM (Annual General Meeting).

4. Composition of the MDAPPS Executive Committee
 - a. The Executive Members of MDAPPS shall consist of:
 - i. Chairman
 - ii. Deputy Chairman
 - iii. Secretary
 - iv. Treasurer
 - v. Assistant Secretary
 - vi. Assistant Treasurer
 - vii. Three (3) Elected Committee Members
 - viii. One (1) representatives each from Northern, Southern and Eastern Zones.

5. MDAPPS Zone Representatives
 - a. MDA Council shall appoint one (1) MDAPPS Zone Representative for each MDA zone upon nomination of the respective zone.
 - b. MDA PPS Zone Representatives shall:
 - i. gather information from Zone Members
 - ii. coordinate with Executive Committee in any events in their respective zone
 - iii. carry out such activities as directed by the Executive Committee

6. Duties and Powers of the Officers of MDAPPS Executive Committee
 - a. Chairman
The Chairman shall:-
 - i. chair all meetings of the MDAPPS.
 - ii. have a casting vote in addition to his vote as a member of the Executive Committee should there is an equality of votes.
 - iii. be the MDAPPS representative in the MDA Council.

 - b. Deputy Chairman
The Deputy Chairman shall perform all the duties of the Chairman in his absence.

 - c. Secretary
The Secretary shall:-
 - i. call for meetings after consultation with the Chairman.
 - ii. prepare and submit the minutes of the meetings to the MDA Council.
 - iii. conduct all correspondence of MDAPPS.
 - iv. submit the Annual Report of MDAPPS to the MDA Council at the end of each term.

- d. Treasurer
The Treasurer shall :-
- i. manage the funds of MDAPPS.
 - ii. prepare an annual budget for approval at the beginning of the year and a Statement of Accounts at the end of the year to the MDA Council
- e. Assistant Secretary
The Assistant Secretary shall assist the Secretary and deputise for him, and shall be responsible for any other duties delegated to him by the MDAPPS Executive Committee.
- f. Assistant Treasurer
The Assistant Treasurer shall assist the Treasurer and deputise for him, and shall be responsible for any other duties delegated to him by the MDAPPS Executive Committee.
- g. Committee Member
The Committee Member shall carry out such activities as directed by the Chairman.
7. MDAPPS Executive Committee Meetings
- a. The newly formed MDAPPS Executive Committee shall meet within two (2) months after the MDAPPS AGM at which it is elected.
 - b. The MDAPPS Executive Committee shall meet at least twice a year preferably at six (6) months intervals.
 - c. The Chairman shall preside at all meetings of the MDAPPS Executive Committee.
 - d. One-half of the total number of MDAPPS Executive Committee shall form the quorum.
 - f. The Notice of the MDAPPS Executive Committee meeting shall be sent two (2) weeks before the meeting by the MDAPPS Secretary.
8. Vacancies
- a. The MDAPPS Executive Committee at its next meeting shall nominate one of its MDAPPS members to act on vacancies in the MDAPPS Executive Committee which are permanent, i.e. the post of Chairman, Deputy Chairman, Secretary, Treasurer, Assistant Secretary and Assistant Treasurer.

9. Annual General Meeting

The MDAPPS AGM shall be held before 31st December of each calendar year.

a. Notice

- i. The notice of the MDAPPS Annual General Meeting shall be sent to all MDAPPS members at least two (2) weeks before the date fixed for the MDAPPS Annual General Meeting by the MDAPPS Secretary and he shall call for Resolution for discussion at the Annual General Meeting.

b. Resolution

- i. Any member desirous of moving any Resolution at the MDAPPS Annual General Meeting shall give notice in writing duly proposed and seconded to the MDAPPS Secretary not less than six (6) weeks before the date of the MDAPPS Annual General Meeting.
- ii. The proposer and seconder must be present at the AGM in order for the resolution to be debated.
- iii. The agenda of the MDAPPS Annual General Meeting, which shall be as follows, shall be informed to members of MDAPPS before the MDAPPS Annual General Meeting.

c. Agenda

- i. To adopt minutes of the previous MDAPPS Annual General Meeting.
- ii. To discuss matters arising.
- iii. To adopt the Annual Report for the year preceding.
- iv. To adopt the Statement of Accounts for the year preceding.
- v. To elect the MDAPPS Executive Committee Members in every two (2) years.
- vi. To decide on any resolution which may have been duly submitted.
- vii. Any amendment on MDAPPS Terms of Reference shall adhere to the article IV of MDA Constitution.

d. Quorum

- i. The quorum at all Annual General Meetings of MDAPPS shall be at least 25.

10. Procedures of Election

a. Elections Committee

b. The MDA Council shall appoint a member of the MDA Elections Committee to conduct the elections.

c. Nominations are called for the following post:

d. Chairman, Deputy Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer & Elected Committee Members.

e. Nominations are accepted from the floor. Nominations by proxy is allowed as long as the signed consent of the nominee is presented.

11. Finances

- a. The MDAPPS Executive Committee shall receive an allocation of funds upon approval from the MDA Council for its activities as a section of the MDA. Quantum of annual fund allocation is determined according to Council's discretion.

12. General Provisions

- a. Any other matter or matters not covered by these Terms of References shall be dealt with according to the provision of the MDA Constitution.
- b. In case of any dispute as to the interpretation, construction, rendering and meaning of all or any of these Terms of References or of any word or words contained in the Terms of Reference, the interpretation, construction, rendering and meaning determined and fixed by the Council of MDA shall be final and conclusive.

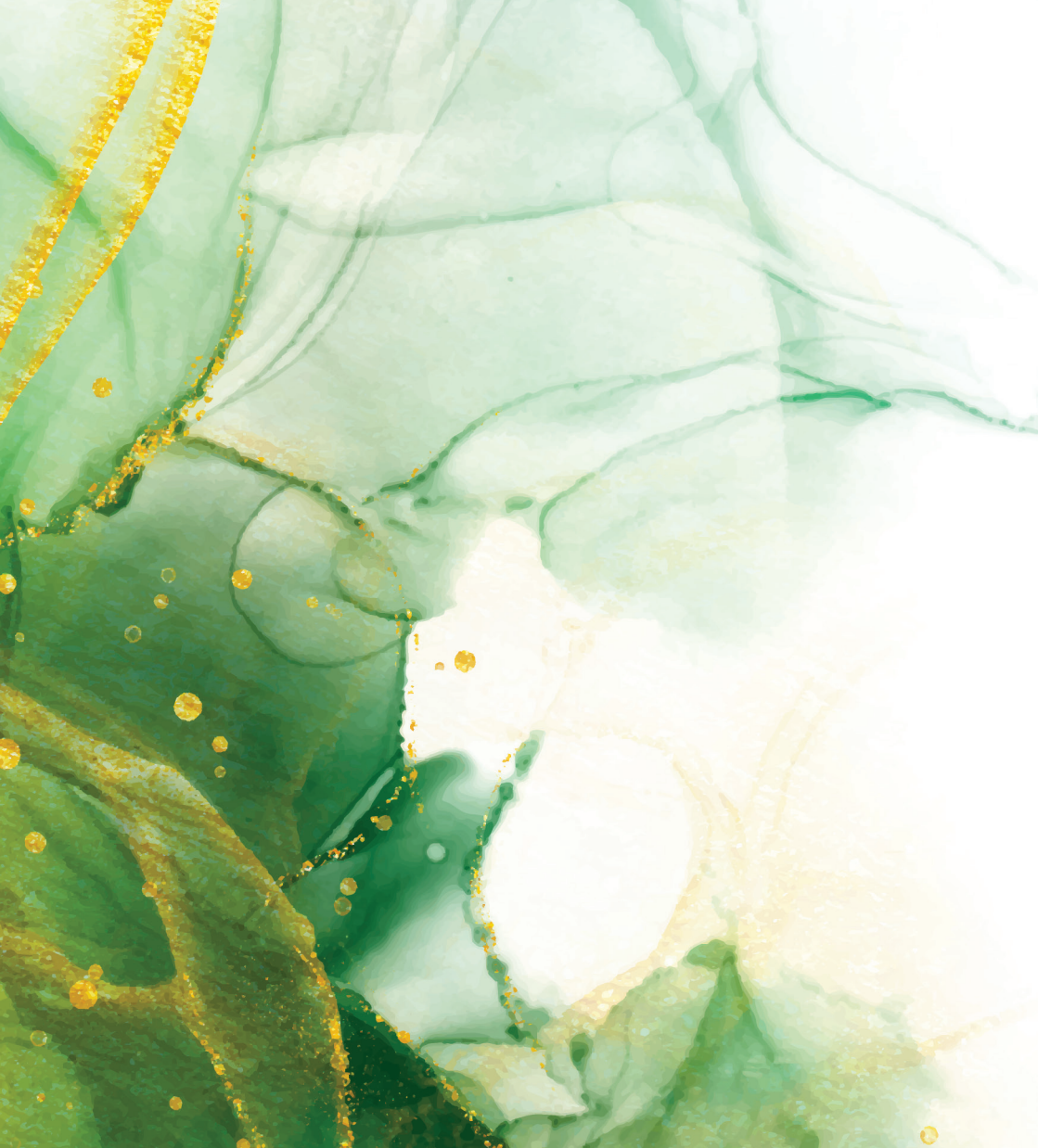


Appendix

Official Emblem



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Malaysian Dental Association

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