

CONSTITUTION

PERSATUAN PENGAMAL-PENGAMALOPTIK MALAYSIA (THE MALAYSIAN ASSOCIATION OF PRACTISING OPTICIANS)[MAPO]

CLAUSE 1 NAME

1. The Association shall be known as

PERSATUAN PENGAMAL-PENGAMALOPTIK MALAYSIA (THE MALAYSIAN ASSOCIATION OF PRACTISING OPTICIANS)[MAPO]

Hereinafter referred to as "the Association".

2. Meaning of name : **THE MALAYSIAN ASSOCIATION OF PRACTISING OPTICIANS [MAPO]**

3. Level : **Kebangsaan**

CLAUSE 2 ADDRESS

1. The registered address is

**12B-10,TINGKAT 12B WISMA ZELAN, 1 JALAN TASIK PERMAISURI 2,
BANDAR TUN RAZAK,
56000 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

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

**12B-10,TINGKAT 12B WISMA ZELAN, 1 JALAN TASIK PERMAISURI
2,BANDAR TUN RAZAK
56000 KUALA LUMPUR
WILAYAH PERSEKUTUAN KUALA LUMPUR**

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

CLAUSE 3 OBJECTIVE

3.1 To support and protect the reputation, status and interest of opticians and ophthalmic opticians and those members of the Optical Profession which are engaged in the optometry practices or the manufacture and fitting of the spectacles, contact lenses, artificial eyes, ophthalmic instruments and other optical appliances,

and to protect them from influences inimical to their well being and prosperity.

3.2 To raise the status and standards of skill and knowledge of opticians and ophthalmic opticians and to ensure the public a continuous and adequate supply of trained and competent persons to carry out the optometry practices or the manufacture and fitting of spectacles, contact lenses, artificial eyes, ophthalmic instrument and other optical appliances

3.3 To establish and support or aid in the establishment and support of a Training Institute, and to inaugurate and support schemes for the instruction and education of the Members of the Association and others in the theoretical aspects and practice of all branches of the Optical Profession.

3.4 To make available the Association's expertise to any authorities (supreme, municipal, local or otherwise) that may seem conducive to the optical health of the public and the interest of the Association or any of them, and to obtain from any such authority any rights, privileges and concessions which the Associations may think it desirable to obtain, and to carry out; exercise and comply with such arrangements, rights, privileges and concessions.

3.5 To organize, conduct and hold lectures, exhibitions, seminar, workshops, classes and conferences, calculated directly or indirectly to educate the Members of the Association.

3.6 To establish liaison and to cooperate with government departments and with educational and other appropriate institutions or bodies concerned with the development of the Optical Profession and to seek co-operation with any such institutions or bodies in Malaysia and overseas.

3.7 To encourage the discovery of and investigate and make known the nature and merits of invention or methods which may seem capable or desirable of being used by persons engaged in the Optical Profession.

3.8 To open and operate on bank accounts including the rights to overdraw accounts, sign, make, accept, endorse and discount cheques, promissory notes, debentures, bills and other liquid or negotiable instruments.

3.9 To enter into agreements and contracts.

3.10 To purchase, take on lease or in exchange, hire or otherwise acquire any real or personal property and any rights or privileges which the Association may think necessary or convenient for the promotion of any buildings or erections necessary or convenient for the work of the Association .

3.11 To sell, let, mortgage, dispose of, or turn to account all or any of the property or assets of the Association, with a view to the promotion of its objects.

3.12 To undertake and execute any trust which may lawfully, be undertaken by the Association and may be conducive to its objects.

3.13 To borrow or raise money for the purpose of the Association on such terms and on such security as may be thought fit.

3.14 All money and profits accruing to the Association from participation in any business shall be applied solely towards the furtherance, promotion and execution of the objects of the Association and no portion thereof shall be paid by way of dividend, bonus or profit to any Member of the Association, provided the nothing herein expressed or contained shall prevent the payment in good faith of remuneration or expenses or both to any officer or servant of the Association, or to any Member of the Association. or other person or persons for services actually rendered by him or them to the Association.

3.15 To establish, undertake, superintend administer and contribute to any

charitable, benevolent, or provident fund out of which maybe made donations or advances to deserving persons who may have been engaged in the optical profession or connected with any person engaged therein and to contribute to or otherwise assist any charitable, benevolent or institutions or undertakings.

CLAUSE 4 MEMBERSHIP

4.1 The Membership of the Association shall not be limited in number.

4.2 The classes of Membership shall be:

- 4.2.1 Ordinary Membership;
- 4.2.2 Life Membership;
- 4.2.3 Honorary Membership;
- 4.2.4 Associate Membership; and
- 4.2.5 Student Membership.

4.3 Ordinary Membership shall be opened to:

- 4.3.1 Juruoptik Opticians registered with The Malaysia Optical Council (MOC); or
- 4.3.2 Possess MAPO Conversion Course; or
- 4.3.3 FBDO holders.

4.4 Life Membership shall be awarded to persons who:

- 4.4.1 Have attained the age of 60 and no longer in gainful employment; provided such persons have been in continuous membership with the Association for at least ten (10) years; or
- 4.4.2 Have served a full term as Presidents and who, in the opinion of the Committee, merit such an award; or
- 4.4.3 Have paid a subscription of RM 2,000.00 in single sum; or
- 4.4.4 Have served on the Committee of the Association as an office bearer and/or a Committee Member continuously for ten (10) years or more and who, in the opinion of the Committee, merit such an award.
- 4.4.5 Must be free from criminal offences conviction by Court of Malaysia law.

4.5 Honorary Membership may be awarded to persons who:

- 4.5.1 Have rendered valuable service to the Association; and/or
- 4.5.2 Have, in the opinion of the Committee, made an outstanding contribution to the unity and general welfare of the Members of the Association.

Honorary Members may enjoy all privileges of membership except the right to vote and to hold office in the Association.

4.6 Associate Membership is opened to all individuals who are involved in optical related industries and shall have all privileges of Membership except the right to vote and to hold office in the Association.

4.7 Student Membership:

- 4.7.1 Open to all students who are studying optometry courses listed in the First Schedule and Second Schedule of The Malaysian Optical Act 1991 or any

equivalent courses as the Committee deems appropriate and shall have all privileges of Membership except the right to vote and to hold office in the Association.

4.7.2 Students who have obtained Juruoptik Certificates or full FBDO qualification may apply to the Association to have their membership upgraded to Ordinary Members. When such application is made to the Association, they would have to top up by paying the difference between Student Membership and Ordinary Membership rates for both Entrance and Annual Subscription fees.

4.8 Every application for Ordinary/Life Membership shall, be proposed and seconded by two existing Ordinary/Life Members on the forms prescribed by the Committee and shall be forwarded to the Secretary who shall, at first convenient opportunity, submit it to the Committee for approval. The Committee may at its discretion reject any application without assigning any reason therefor. Where any urgent application requiring the approval of the Committee arises and it is not possible to convene a meeting, the President, jointly with the Secretary may at their discretion approve or reject any application without assigning any reason therefor.

4.9 Every applicant whose application has been approved as foresaid shall, upon payment of the prescribed entrance fee and the annual subscription, be admitted as a Member of the Association and shall be entitled to all privileges of Membership.

CLAUSE 5 RESIGNATION AND TERMINATION

5.1 Any Member who wishes to resign from the Association shall give two weeks' notice in writing to the Secretary and shall pay up all dues.

5.2 Any Member who fails to comply with the Rules of the Association or has acted in a manner to bring disrepute upon the Association may be expelled or suspended for a period of time as the Committee deems fit. Before the Committee expels or suspends the Member, the member shall be informed of the grounds for such expulsion or suspension in writing and be given an opportunity to explain and absolve himself in person. Such suspension or expulsion shall be enforced unless otherwise reversed by a general meeting upon an appeal by the affected Member.

CLAUSE 6 SOURCE OF INCOME

ENTRANCE FEES, SUBSCRIPTIONS AND OTHER DUES:

6.1 The entrance fee and subscription payable shall be as follows:

I. Ordinary & Associate Members

Entrance fee RM 250.00

Annual Subscription fee RM 72.00

II. Student Members

Entrance fee RM 100.00

Annual Subscription fee RM 36.00

Students who have obtained Annual Practising Certificate (APC) or full FBDO qualification may apply to the Association to have their membership upgraded to Ordinary Members.

When such application is made to the Association, they would have to top up by paying the difference between Student Membership and Ordinary Membership rates for both Entrance and Annual Subscription fees.

6.2 All annual subscription fees shall be payable to the Treasurer in advance within the first calendar month of each year.

6.3 Any Member who allows his yearly subscription to be in arrears for more than two years shall be served with at least two written notifications signed 'by or on behalf of the Secretary, and shall be denied the privileges of membership until he settles his account.

6.4 Any Member who allows his arrears to exceed two years shall automatically cease to be Member of the Association and the Committee may direct that legal action be taken against him, provided that they are satisfied that he has been served due notice of his debts.

6.5 The Committee shall have the power to fix re-entrance fee for any person who has allowed his membership to lapse through arrears of subscription fees.

6.6 Special subscription or levies for particular purpose may be raised from Members by resolution of the general meeting of the Association. If any Member fails to pay such subscription within such period as maybe resolved, the amount due shall be treated in the same way as arrears of annual subscription fees.

CLAUSE 7 GENERAL MEETING

7.1 The supreme authority of the Association is vested in a general meeting of the Members. At least one-half of the total voting membership of the Association or twice the numbers of Committee Members, whichever is lower, must be present at a general meeting for its proceedings to be valid and to constitute a quorum.

The President or in his absence, the Vice President, shall preside as Chairman of the meeting at every general meeting or if they are not present within fifteen (15) minutes after the time appointed for holding the meeting or is unwilling to act, the Members shall elect one (1) of their numbers present to be Chairman of the meeting.

7.2 If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date not exceeding 30 days to be decided by the Committee; and the members shall be notified in writing, and if a quorum is not present half an hour after the time appointed for the postponed meeting, any number of voting members present shall constitute a quorum and have power to proceed with the business of the day but they shall not have power to alter the

Rules of the Association.

7.3 An annual general meeting of the Association shall be held as soon as possible after the close of each financial year but not later than the month of April on a date and at a time and place to be decided by the Committee. The business of the annual general meeting shall be:

- a) To receive the Committee's report on the working of the Association during the previous year;
- b) To receive the Treasurer's report and the audited accounts of the Association of the previous year;
- c) To elect a Committee during the next election year;
- d) To appoint auditors for the ensuing year; and
- e) To deal with such other matters that may be put before it.

7.4 A preliminary notice of the annual general meeting stating the date, the time and the place, and the calling for motions of discussion, for amendment of the Rules and nominations for election of the Committee shall be sent by the Secretary to all Members at least 60 days before the date fixed for the meeting, and this notice shall also be prominently displayed at the registered office of the Association.

7.5 Nomination for the election of the Office Bearers and Committee Members and motion for discussion at the meeting must be sent to reach the registered address not later than the closing date and time specified in the nomination form. The closing date and time must be set within MAPO office operating hours and at least thirty (30) days but not more than forty five (45) days from the date the preliminary notice is sent.

7.6 The Secretary shall send to all Members at least fourteen (14) days before the meeting a notice stating the date, time and place of the meeting including web links (URLs) to download copies of minutes and reports, motions and nominations for the election of officers, together with a web link (URL) to download the audited accounts of the Association for the previous year. Physical copies of these documents can be requested by informing the Association. Copies of these documents will also be made available at the registered office of the Association for the perusal of Members.

7.7 An extraordinary general meeting of the Association shall be convened:

7.7.1 Whenever the Committee deems it desirable, or

7.7.2 At the joint request in writing of not less than forty (40) voting Members, stating the objects, and purpose for calling such meeting.

7.8 An extraordinary general meeting requisitioned by Members shall be convened for a date within forty five (45) days of the receipt of such requisition.

7.9 Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary to all Members at least twenty one (21) days before the date fixed for such meeting.

7.10 Sub 7.1 and Sub 7.2 of Paragraph 7 regarding the quorum and the

postponement for an annual general meeting shall apply also to an extraordinary general meeting, but with the proviso that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by Members, the meeting shall be cancelled, and no extraordinary general meeting shall be requisitioned for the same purpose until after the lapse of at least thirty days from the date thereof.

7.11 All decisions shall be decided by way of voting on a show of hands where each Member shall be entitled to one (1) vote. In case of equality of votes, the Chairman shall have a second or casting vote.

7.12 Sub 7.4, Sub 7.6 and Sub 7.9 of Paragraph 7 regarding sending of notices to Members; any written notice required or permitted to be given to any Member shall be validly given if delivered personally or if mailed by pre-paid ordinary mail to such Member at his or her last known address, and such notice shall be deemed given and received on the date of such delivery or mailing, as the case may be.

Norwithstanding Rule 7.12, any notice required under this Rule may be sent by email to the email address contained in the membership registry for a Member instead of being sent by pre-paid ordinary mail. However, if the sender of such notice is informed that the email was not delivered, then notice shall be sent as required by Rule 7.12 and it shall be effective as of the date it was originally sent via email.

CLAUSE 8 COMMITTEE

8.1 A Committee of the Association consisting of the following shall be elected at the annual general meeting for a term of three (3) years:

A President;

A Vice President;

A Secretary;

An Assistant Secretary;

A Treasurer;

An Assistant Treasurer; and 9 Ordinary Committee Members

Provided always a person shall only be eligible for election as President if he has served a full term either as an Office Bearer or a Committee Member prior to the annual general meeting.

The Office Bearers shall comprise of a President, a Vice President, a Secretary, an Assistant Secretary and Treasurer and an Assistant Treasurer. The Office Bearers and Committee Members of the Association and every officer performing executive functions in the Association shall be Malaysian citizens.

8.2 Names for the above officers shall be proposed and seconded and election will be by a simple majority vote of the Members present and voting at the annual general meeting. All officers shall be eligible for re-election upon expiry of the term except for the post of President. The President shall not continue the tenure of

office as President for more than two (2) terms consecutively (6 years).

An elected officer for the time being shall not hold office as Committee Member or Office Bearer of any other Optical Associations within Malaysia and shall not be eligible to hold office in the Association so long as he/she continues to hold the positions simultaneously.

8.3 The management and control of the affairs of the Association shall be vested in the Committee as hereinabove constituted which shall have the power to regulate, manage and control the affairs of the Association and to carry out its objects and for this purpose the Committee shall exercise all the powers and may do all such acts and things as may be exercised or done by the Association save only such matters as are required by the Rules and Constitution to be decided by Members in general meeting.

8.4 The Committee shall meet at least once every four months, and 14 days' notice of each meeting shall be given to the Members. The President acting alone or not less than three of its members acting together may call for a meeting of the Committee to be held at any time. At least one half of the Committee Members must be present for its proceedings to be valid and to constitute a quorum.

The President or in his absence, the Vice President, shall preside at meetings of the Committee. In the absence of the President or the Vice President, the Committee Members shall elect one (1) of their numbers present to be Chairman of the meeting.

8.5 Voting at meetings of the Committee shall be by show of hands, each Member having one vote. Decisions at meetings of the Committee shall be by simple majority; in case of equality of votes, the Chairman shall have a second or casting vote.

8.6 Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the committee is deemed to have been obtained.

8.6.1 The issue must be clearly set out in the circular and forwarded to all Members of the Committee;

8.6.2 The decision must be by a majority vote.

Any decision obtained by a circular letter shall be reported by the Secretary to the next Committee meeting and recorded in the minutes thereof.

8.7 Any Member of the Committee who fails to attend three meetings of the Committee without satisfactory explanation shall be deemed to have resigned from the Committee and shall not be eligible for election in the next election process.

8.8 In the event of the death or resignation of a Member of the Committee, the Committee shall have the power to co-opt any other Member of the Committee to fill the vacancy until the next election.

8.9 The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint such organizers and such staff as it deems necessary. It may suspend or dismiss any or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry the instruction of the Committee or for other reason which the Committee deems good and sufficient in the interest of the Association.

8.10 Between annual general meetings the Committee shall interpret the Rules of the Association and, when necessary, determine any point on which the Rules are silent.

8.11 Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting the decisions of the Committee shall be binding on all Members of the Association unless and until countermanded by a resolution of a general meeting.

8.12 The Committee in its absolute discretion shall have the power to delegate any of its functions to a Sub-Committee to carry out its or specified duties subject to such conditions and powers vested in the Committee by this Constitution. The Sub-Committee may comprise of not only Members but also Non-members of the Committee or the Association.

CLAUSE 9 DUTIES OF OFFICE BEARERS

9.1 The president shall lead the Committee in managing the affairs and activities of the Association. He shall during his term of office preside at all general meetings and all meetings of the Committee and shall be responsible for the proper conduct of all such meetings and shall ensure that all orders or resolutions of the Committee are carried into effect. He shall have the casting vote and shall sign the minutes of each meeting at the time when they are approved. He shall, in conjunction with the Secretary or the Treasurer sign all cheques on behalf of the Association.

9.2 The Vice President shall deputise for the President during the latter's absence.

9.3 The Secretary shall conduct the business of the Association in accordance with its Rules, 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 President or the Treasurer he shall sign all cheques on behalf of the Association. The Secretary shall within sixty (60) days after the holding of the annual general meeting of the Association submit to the Registrar of Societies the annual returns of the Association as required under Section 14(1) of the Societies Act 1966.

9.4 The Assistant Secretary shall assist the Secretary in carrying out his duties and shall act for him in his absence.

9.5 9.5.1 The Treasurer shall be responsible for the financial affairs of the

Association. He shall keep account of all its financial transactions and shall be responsible for their correctness. He shall, in conjunction with the President or the Secretary sign all cheques on behalf of the Association.

9.5.2 The Assistant Treasurer shall assist the Treasurer in carrying out his duties and shall act for him in his absence.

9.6 The Ordinary Committee Members shall participate in and shall have the right to vote at all meetings of the Committee and shall carry out such duties as directed by the President and approved by the Committee.

CLAUSE 10 FINANCIAL PROVISION

10.1 Subject to the following provisions in this Rule, the funds of the Association as approved by the Committee may be expended for any purpose necessary for the carrying out of its objects, including the expenses of its administration, the payment of salaries, allowances, honorarium and expenses to its Office Bearers, Committee Members and paid staff, and the audit of its accounts, but they shall on no account be used to pay the fine of any Member who may be convicted in a court of law.

10.2 The Treasurer may hold a petty cash advance not exceeding RM2,000.00 at any one time. All money in excess of this sum shall within seven days of receipt be deposited in the bank approved by the Committee. The bank account shall be in the name of the Association.

10.3 All cheques and withdrawal notices on the Association's account shall be signed jointly by any two (2) of the following Office Bearers:

- a) The President
- b) The Secretary
- c) The Treasurer

10.4 Any expenditure of RM5,000.00 and below at any one time shall be approved by the President together with the Secretary or the Treasurer and any expenditure exceeding RM5,000.00 - at any one time shall not be incurred without prior sanction of the Committee.

10.5 As soon as possible after the end of each financial year, a statement of income and expenditure and a balance sheet for the year shall be prepared and audited by the Auditors appointed under Paragraph II. The audited accounts shall be submitted for the approval of the next annual general meeting, and copies shall be made available at the registered office or place of meeting of the Association for the perusal of Members.

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

CLAUSE 11 AUDITORS

11.1 Two persons, who shall not be Committee Members of the Association, shall be appointed by the annual general meeting as Honorary Auditors. They shall hold office for one year only and shall not be re-appointed.

11.2 The Auditors shall be required to audit the accounts of the Association for the year, and to prepare a report or certificate for the annual general meeting. They may also be required by the President to audit the accounts of the Association for any period within their tenure of office at any date and to make a report to the Committee.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

PROPERTIES ADMINISTRATION OFFICERS

12.1 Immovable property of the Association shall be registered in the name of the Association. The Association shall appoint three (3) officers of the current committee members as the Properties Administration Officers pursuant to Section 9(b) of the Societies Act 1966, whose appointments are authenticated by a certificate of the Registrar of Societies. They will serve in this capacity for the duration of their term of office in the Committee. They will automatically cease to hold that position when their term of office ends.

12.2 The Properties Administration Officers shall deal with the property in such manner as the general meeting may direct. They shall not sell, mortgage or transfer the property of the Association without the consent and authority of a general meeting of Members.

12.3 The Properties Administration Officers may be removed from office by a general meeting on the grounds that owing to ill health, unconscious of mind, absence from the country or for any other reason, he is unable to perform his duties or unable to do so satisfactorily. In the event of the death, resignation or removal of a Properties Administration Officer, the vacancy shall be filled by a new Properties Administration Officer appointed by a general meeting.

CLAUSE 13 INTERPRETATION

NO SUCH CLAUSE

CLAUSE 14 ADVISOR / PATRON

14.1 The Association may invite any person or persons to become Patron or Patrons of the Association.

CLAUSE 15 PROHIBITION

15.1 Opium smoking on the premises and the introduction of prostitutes and bad characters into the premises are strictly prohibited.

15.2 None of the following games shall be played in the premises of the Association, Roulette, Lotto, Fan Tan, Poh, Peh Bin, Bengkalai, Pau Kau, Tau Ngau, Tien Kow, Chap Ji Kee, Sam Cheong, Twenty one, Thirty one, Ten and a half, all games of dice, Banker's games and all games of mere chance. All video games and games of billiard and snooker in the premises of the Association shall be strictly prohibited.

15.3 Neither the Association nor its Members shall attempt to 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.

CLAUSE 16 AMENDMENT OF CONSTITUTION

16.1 These Rules may not be altered or amended except by resolution of a general meeting such alteration or amendments shall take effect from the date of their approval by the Register of Societies. Any alteration or amendment shall be submitted within sixty (60) days of its being passed to the Registrar of Societies.

CLAUSE 17 DISSOLUTION

17.1 The Association may be voluntarily dissolved by a resolution of not less than two-thirds of the total membership at a general meeting specially convened for such purpose.

17.2 In the event of the Association being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.

17.3 Notice of dissolution shall be forwarded to the Registrar of Societies within fourteen (14) days of its dissolution.

CLAUSE 18 FLAG, LOGO AND BADGE

1. Flag



Description

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2. Logo



Description

LOGO Philosophy:

The symbolic representation of lens combined with the shape of globe, highlighting the strength of optical and global unity. Font type used shows good stability, balance and moving forward.

Colour:

Blue - professional, universal, technology;

Red - active, strength;

Green - optical, environmental consciousness, neutral;

The shades used are vibrant to depict a modern uplift of MAPO's image.

3. Badge

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Description

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CLAUSE 19 AFFILIATION

19.1 The Association shall be allowed to form affiliation or cooperation with related Optical Associations, Universities, Institutes, Colleges and Schools within or outside Malaysia.

CLAUSE 20 INDEMNITY

20.1 The following persons shall be indemnified by the Association against all losses and expenses which they incur in carrying out their respective duties, unless the losses are caused by their own deliberate fault, omission or negligence.

- . Office Bearers and Committee Members
- . Members of Sub-committees constituted by the Committee
- . Trustees appointed by the Association
- . Executive staff of the Association