

# **CONSTITUTION OF THE FEDERATION OF HAWKERS' & PETTY TRADERS' ASSOCIATIONS MALAYSIA**

## **Chapter I: General Provisions**

### **Rule 1: Name**

- 1.1 The name of this Society shall be “GABUNGAN PERSATUAN PENJAJA-PENJAJA DAN PENIAGA-PENIAGA KECIL MALAYSIA” (The Federation of Hawkers’ & Petty Traders’ Association Malaysia) hereinafter referred to as “the Federation”.

### **Rule 2: Objects**

- 2.1 The objects of the Federation shall be not to interfere in politics but to promote mutual understanding among the Hawkers’ and Petty Traders’ Associations in Malaysia in order to work for the welfare and the betterment of the knowledge of the hawkers and petty traders in their trade.

### **Rule 3: Address**

- 3.1 The correspondence and administration address of the Federation shall be the address of the President's association but the Permanent Correspondence Address of the Association shall be situated at No. 93-C Jalan Shahbandar, Batu Pahat, Johor.

## **Chapter 11: Membership Fees**

### **Rule 4: Membership**

- 4.1 All associations in Malaysia bearing the name of “Hawkers’ and/or Petty Traders’” shall be eligible to apply for membership in the names of the Associations by written application and they shall become members of the Federation on payment of the Entrance Fees and other dues, after approval of their application by the Central Committee. A new member shall only be eligible to vote at all meetings which it is entitled to attend and to hold such office in the Federation to which it may be duly elected or appointed three (3) months after it having become a member.

### **Rule 5: Funds**

- 5.1 Entrance fees: Each association desiring to be a member of the Federation shall pay on admission an Entrance Fee of RM20-00.

### **Rule 6: Dues**

- 6.1 Annual Subscriptions: Each Member shall pay an Annual Subscription of RM 150-00. When a Member sends more than one delegate to the General Meeting, the said Member shall pay an additional subscription at rate of RM 150-00 per additional delegate.
- 6.2 Special Contribution: Whenever there is any shortage of fund to meet running expenses, special contribution may be called for on the resolution of the Central Committee.

## **Chapter III: Organisation**

### **Rule 7: Organisation**

- 7.1** The term of the office-bearers of the Federation shall be two (2) years but they shall be eligible for re-election excepting the President, the Secretary-General and the Treasurer-General who shall not be eligible for re-election for more than three consecutive terms.
- 7.2** The highest authority of the Federation shall be the General Assembly of all member Associations. There shall be held an election for the Central Committee every two (2) years during the General Assembly. When the General Assembly is not in session, the next highest authority shall be the Central Committee.
- 7.3** The Central Committee shall consist of not more than thirty one (31) members, twenty seven (27) of whom shall be elected during the General Assembly and the other four (4) members shall be appointed by the President as and when the President deems fit. These thirty one (31) members are as follows:-  
One (1) President, Five (5) Vice Presidents, One (1) Secretary-General, One (1) Assistant Secretary-General, One (1) Treasurer-General, One (1) Assistant Treasurer-General, One (1) Chinese Correspondent, One (1) Bahasa Malaysia Correspondent, One (1) Organising Secretary, Two (2) Assistant Organising Secretaries, One (1) Honorary Auditor, Eleven (11) Ordinary Central Committee Members elected during the General Assembly, and Four (4) Ordinary Central Committee Members appointed by the President.

## **Chapter IV: Meetings**

### **Rule 8: Meetings**

- 8.1** The General Assembly shall be held annually. The venue, date and time of the General Assembly shall be decided by the Central Committee. An Extra-ordinary Meeting of the General Assembly shall be held at any time if requisitioned in writing by the Central Committee or if requisitioned in writing by at least fifteen (15) members. The date for such Extra-ordinary Meeting of the General Assembly shall not be later than thirty (30) days from the date of receipt of the requisition by the Federation. The venue, date and time of the Extra-ordinary Meeting of the General Assembly shall be decided by the Central Committee.
- 8.2** The Central Committee shall meet at least three (3) times a year. Whenever necessary the President may convene a Central Committee meeting at any time.
- 8.3** More than one third (1 /3) of the total number of members shall form a quorum for all meetings.
- 8.4** If at the date, time and place of any meeting there is not present within forty five (45) minutes of the time schedule for the start of the said meeting the quorum required, the members present for the said meeting may still proceed to discuss the agenda set for the said meeting but the said meeting shall-have no right to amend the Constitution of the Federation or pass any resolution to dispose off the immovable properties of the Federation.

## **Chapter V: Duties and Powers**

### **Rule 9: Duties and Powers**

The duties and powers of the General Assembly, the Central Committee and members of the Central Committee shall be as follows:-

#### **9.1 General Assembly:**

- 9.1.1 Amendment and alteration of Rules the Constitution.
- 9.1.2 Election of members of the Central Committee.
- 9.1.3 Receipt and passing of the reports of the Standing Central Committee and that of the Honorary Auditor.
- 9.1.4 Examination of the financial position of the Federation and its financial estimates and statements of accounts.

#### **9.2 Central Committee:**

- 9.2.1 Execution of the resolutions passed by the General Assembly .
- 9.2.2 Planning and execution of the affairs of the Federation.
- 9.2.3 Managing the funds of the Federation.
- 9.2.4 Preparation for the holding of General Assembly.
- 9.2.5 Making decision on any matter that cannot be dealt with by any individual office-bearers.
- 9.2.6 Appointing and dismissing any paid staff of the Federation.

#### **9.3 Duties of Office Bearers:**

- 9.3.1 President: Carry out the resolutions passed by the Central Committee, signing all correspondence and cheques of the Federation and presiding at all meetings of the Federation.
- 9.3.2 Vice Presidents: Assist the President in carrying out his duties. In the absence of the President, one of them shall be elected to deputise for the President.
- 9.3.3 Honorary Secretary-General: Attend to all daily routine matters of the Federation.
- 9.3.4 Assistant Secretary-General: Assist the Secretary-General in discharging his duties. In the absence of the Secretary-General, the Assistant Secretary-General shall be the acting Secretary-General.
- 9.3.5 Treasurer-General: Take charge of income and expenditure of the Federation. In conjunction with the President and the Secretary General, he shall sign all cheques of the Federation and prepare monthly statements of accounts for report to the Central Committee.
- 9.3.6 Assistant Treasurer-General: Assist the Treasurer-General in discharging his duties. In the absence of the Treasurer-General, the Assistant Treasurer-General shall be the acting Treasurer-General.
- 9.3.7 Chinese / Bahasa Malaysia Correspondent: Take charge of all correspondence, record of minutes of meetings, membership registrar and monthly financial statements in Chinese / Bahasa Malaysia.
- 9.3.8 Honorary Auditor: Audit the accounts of the Federation. Any vacancy occurring during the two (2) year term shall be filled by the member association from which the old office bearer came from.
- 9.3.9 Organising Secretary: Responsible for the general organisation of the Federation.
- 9.3.10 Assistant Organising Secretary: Assist the Organising Secretary in carrying out his duties.
- 9.3.11 Central Committee Members: To assist the Central Committee in the management of the Federation.

## **Chapter VI: Finance**

### **Rule 10: Income of the Federation**

- 10.1** All income of the Federation shall be taken charge of by the Treasurer-General but when cash in hand exceeds RM 1,000-00 the excess cash shall be paid into the Bank and withdrawals from the Bank shall require the joint signatures of the President or Secretary-General and that of the Treasurer-General together with seal of the Federation.

### **Rule 11: Expenditure of the Federation**

- 11.1** Any expenditure, excluding property assessment, fire insurance, electricity and water bills and salaries below RM 3,000-00 (tiga ribu ringgit) may be decided by the President. Expenditure over RM3,000-00 (tiga ribu ringgit) but up till RM 10,000-00 (sepuluh ribu ringgit) shall be decided by the Central Committee and that over RM 10,000-00 shall be decided by the General Assembly.

### **Rule 12: Annual Subscriptions**

- 12.1** The annual subscriptions collected for the year shall be used for the holding of the General Assembly. Any deficit incurred shall be paid by the organizing member association and all surpluses shall belong to the Federation for use of activities by the Federation.

### **Rule 13: Accounts**

- 13.1** Accounts of the income and expenditure of the Federation shall be made up monthly and handed over to the Honorary Auditor to audit and such audited accounts shall be submitted to the Central Committee whenever they meet and shall be compiled together and printed for issue to the Delegates at the General Assembly.

## **Chapter VII: Duties of Members**

### **Rule 14: The Duties of Members shall be as follows:-**

- 14.1** To pay Entrance Fees, annual subscriptions and special contributions.  
**14.2** To abide by the Constitution and resolutions passed by the Federation.  
**14.3** To promote the expansion and development of the affairs of the Federation.

## **Chapter VIII: Rights of Members**

### **Rule 15 : Privileges**

Each member association shall be entitled:-

- 15.1** To elect and stand for election.  
**15.2** To make proposals for the consideration of the Central Committee and General Assembly.  
**15.3** To ask for legitimate aid and protection of the Federation.

## **Chapter IX: Mutual Aid**

### **Rule 16: Mutual Aid**

- 16.1** Members of any Member Association, who can produce letters of introduction from their Association shall receive attention of other Member Associations of the places they visit.
- 16.2** Members of any Member Association moving to another place and wishing to join the Member Association of the place they move to and willing to abide by the Rules of such Member Association, may be admitted as members, if they are in benefit without payment of entrance fees or fees for the changing of membership certificate but must pay all other dues.

## **Chapter X: Immovable Properties**

### **Rule 17: Immovable Properties**

- 17.1** The immovable property of the Federation shall be registered in the name of the Federation and all instruments relating to the property shall be valid and effective if they have been executed by three (3) main Office Bearers i.e. the President, the Secretary-General and the Treasurer-General for the time being of the Federation, whose appointment are authenticated by a Certificate of the Registrar of Societies and sealed with the seal of the Federation.
- 17.2** All immovable properties of the Federation shall not be transferred, sold, charged, pledged or otherwise disposed off without the prior consent and authority of the General Assembly.

## **Chapter X1: Expulsion**

### **Rule 18: Expulsion**

- 18.1** Any member association failing to abide by any of the Rules of this Constitution of the Federation may be submitted to the General Assembly for expulsion if the said member association still fails to amend their ways after warning by the Central Committee.
- 18.2** Any Member Association which is in arrears with annual subscriptions for three (3) years due to the Federation shall have its name automatically removed and cease to be a member of the Federation if it fails to pay up after 15 days' notice from the Federation.

## **Chapter X11: Miscellaneous**

### **Rule 19: Rules of this Constitution**

- 19.1** All the Rules of this Constitution as herein contained shall come into force after they have been passed by a General Assembly of the Federation and any subsequent amendment, alteration or addition to these Rules shall require the approval of two-third (2/3) majority of delegates present at a General Assembly before they can take effect, subject to the approval of the Registrar of Societies.

## **Chapter X111 Prohibitions**

### **Rule 20: Prohibitions**

- 20.1 The funds of the Federation shall not be used to pay the fines of members who have been convicted in court.
- 20.2 Neither the Federation nor its members shall attempt to restrict or in any other manner interfere with trade or prices or engage in any Trade Union activities as defined in the Trade Union Enactment, 1940.

## **Chapter XIV: Dissolution**

### **Rule 21: Dissolution**

- 21 In this Rule Constitution, “member” means anyone who is, in accordance with the Rules of the Federation, entitled to vote:
- 21.1 The Federation shall not be dissolved, except with the consent of not less than three fifth (3/5) of the delegates of the members of the Federation present at a General Assembly convened for the purpose.
- 21.2 In the event of the Federation being dissolved as provided above, all debts and liabilities legally incurred on behalf of the Federation shall be fully discharged, and the remaining funds shall be divided equally among the members.

## **Chapter XV: Emblem**

### **Rule 22: Emblem**

- 22 The Emblem of the Federation is a blue terrestrial globe with longitude and latitude. In the middle there are Malaysian map and a scale, all are yellow in colour. The meanings of the Emblem are as follows :
- 22.1 The blue terrestrial globe representing the existence of the hawkers and petty traders all over the world.
- 22.2 The white longitude and latitude representing sincerity and honesty.
- 22.3 The yellow Malaysian map and scale representing the Malaysian hawkers and petty traders are doing fair business.
- 22.4 The red and white background representing the unity of the hawkers and petty traders throughout Malaysia.

**We hereby confirmed that the above Rules are true and correct in accordance with the latest amendments passed during the General Assembly held by the Federation on 05-12-2005.**

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**WONG KWAI PENG, PPN**  
**Vice President**

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**TOH LAI HUAT, SIS**  
**Secretary-General**