



中总

ACCCIM

**GABUNGAN DEWAN PERNIAGAAN DAN
PERINDUSTRIAN CINA MALAYSIA**

马来西亚中华总商会

**THE ASSOCIATED CHINESE CHAMBERS OF
COMMERCE AND INDUSTRY OF MALAYSIA**

章程

CONSTITUTION

**包含自 2016 年 8 月 17 日起生效之修订条文
INCORPORATING AMENDMENTS OPERATIVE FROM
17TH AUGUST 2016**

马来西亚中华总商会（中总） 章程

(包含自 2016 年 8 月 17 日起生效之修订条文)

第 1 项 名称

- (1) 本会定名为“马来西亚中华总商会”；简称“中总”。

第 2 项 会址

- (1) 本会注册会址

吉隆坡安邦路中华总商会大厦六楼
6th Floor, Wisma Chinese Chamber, 258 Jalan Ampang,
50450 Kuala Lumpur

或理事会任何时候决定的其他地方；邮政地址为

吉隆坡安邦路中华总商会大厦六楼
6th Floor, Wisma Chinese Chamber, 258 Jalan Ampang,
50450 Kuala Lumpur

- (2) 所注册的地址及邮政地址，在未获得社团注册局的批准之前，不得更改。

第 3 项 宗旨

- (1) 促进马来西亚各地华人工商会、商团与/或工业团体及/或商业公司的联络与合作，共同维护及争取属会会员在商业、工业、原产业及其他经济活动方面的权益和发展；
- (2) 研讨及拟定马来西亚华人工商界对国内社会经济发展问题的见解和建议，藉以促进与政府或其他机构或团体间的了解与合作，共同致力于发展国民经济和加强全民团结；

- (3) 汇集、整理及传播有关工商及其他经济活动的资料；
- (4) 联络其他商会或经济团体，主办或参加经济会议、工商考察团、工商展览会及其他有关促进经济合作的活动；
- (5) 提倡社会福利事业及主办或协办有利于国民经济发展的入力训练计划或研讨会；
- (6) 在有关各造同意下协助本会会员调解纠纷；
- (7) 接收及/或接受捐、赠、拨款、津贴、在股票交易所上市的证券以及任何其他有价值之合法文件并以其作为投资及/或以其他方式处理之； 以及
- (8) 推行其他符合本会宗旨的活动。

第 4 项 会员

(1) 会员

本会会员(简称会员)分为下列几种：

(a) 基本会员

凡马来西亚境内的全州性华人总商会或商会联合会，均得申请成为中总的基本会员(商会)[简称“基本会员”]。不过，那些在此新章程生效前原属基本会员的华人商会一概继续成为本会基本会员。

(b) 团体会员

任何马来西亚全国性商团/或工业团体，其会员大多数为马来西亚华裔者，均可申请成为中总团体会员 [简称“团体会员”]。

(c) 公司会员

任何在马来西亚注册并在国内拥有办事处或业务所的公司，其多数股份在任何时候乃由马来西亚华裔持有及控制，均可申请成为中总公司会员[简称“公司会员”]。

(d) **杰出会员**

中总可邀请任何人、公司或团体成为杰出会员，期限由中总决定。
杰出会员可分为以下 3 类：

- i. 杰出会员 I
- ii. 杰出会员 II
- iii. 杰出会员 III

(2) **申请入会程序**

会员(包括基本、团体及公司会员)之入会申请书须呈交给总秘书，由后者提交中央理事会考虑。中央理事会有权拒绝任何申请而无需说明理由。

(3) **会员权利和义务**

- (a) 所有基本会员，在大会中享有发言、表决、选举与被选以及提呈提案予中央理事会或大会讨论的权利，及享有本会所提供的一切服务。
- (b) 所有团体会员、公司会员和杰出会员有权参加会员代表大会（其代表必须是马来西亚华裔），并呈递提案供中央理事会或会员代表大会讨论，同时享有本会所提供之一切服务，惟在会员代表大会无表决、选举或被选的权利
- (c) 凡本会基本、团体、公司和杰出会员，须遵守本会章程、条例和程序，及会员代表大会或中央理事会所通过之一切议决案。

第 5 项 呈辞及终止

(1) **退会**

任何会员如欲退出中总，须事先致函通知本会总会长，并缴清其欠款(若有)，包括但并不限于年捐、所认捐之特别捐及其他欠款。任何退会须经中央理事会核准后方为有效。

第 6 项 财务来源

(1) 入会基金

凡获准加入本会条文第 4(1)(a)至(c)项下之会员者，一概须缴纳入会基金五千令吉 (RM5,000.00)。

任何获准成为条文第 4(1)(d)项下杰出会员的个人、公司或团体，将豁免缴纳入会基金。

(2) 年捐

(a) 基本会员每单位年捐三千令吉，须于每年四月底之前缴清。

(b) 团体会员每单位年捐二千令吉，须于每年四月底之前缴清。

(c) 公司会员每单位年捐五千令吉，须于每年四月底之前缴清。

(d) 中央理事会有权取消任何连续两年未缴年捐者之会员资格。

(e) 类杰出会员的年捐如下：

- i. 杰出会员 I - 十万令吉
- ii. 杰出会员 II - 五万令吉
- iii. 杰出会员 III - 一万令吉

须于每年四月底之前缴清。

(3) 特别捐及基金

(a) 本会在会务开销有不敷时，中央理事会得要求全体会员及其属下之单位，包括个人捐助特别捐。

(b) 本会可设立建会所基金及供社会福利、慈善和经济用途之各别基金，并推行各种计划向公众人士筹措上述各项基金，惟在有需要时，得取得有关当局之批准。有关基金，包括建会所基金之管理及章则，由中央理事会全权处理。

第 7 项 会员代表大会

(1) 会员代表大会

本会会员代表大会包括常年会员代表大会或特别会员代表大会 [简称大会] 为最高决策机关。

(2) 常年会员代表大会

(a) 本会常年会员代表大会[简称常年会员代表大会]须于每年七月杪之前在中央理事会决定之地点召开。召集大会的通告连同经查核之上一财务年账目至少须于开会日三十天前发出。每个基本会员或公司会员得派代表出席常年会员代表大会，人数不限。

(b) 至少须有九位基本会员的代表出席，方能成会。

(c) 会议议事细节如下：

(i) 每个基本会员得推举一名首席代表和一名副首席代表代表，有关基本会员参加常年会员代表大会。该正副首席代表名单须于开会日前至少七天书面通知秘书处。

(ii) 基本会员正副首席代表之外的其他代表在征得其首席代表同意时，可享有发言权；

(iii) 唯有基本会员的首席代表或在首席代表缺席之下副首席代表才有投票权；

(iv) 在每次选举中基本会员每单位一票；

(v) 除了与选举本会之负责人有关的事项以外，本会总会长在表决票数相等时有一决定票；

(vi) 负责人选举之投票须由常年会员代表大会委任的三名监督人所监督。

(d) 每届常年会员代表大会的议程须包括下列项目：

(i) 复准，及通过(若核准)常年会员代表大会前期议案录；

- (ii) 讨论第 7(2)(d)(i)项的前议各事；
- (iii) 接纳及通过(若核准)常年会务报告和经审核之上一年财务报告；
- (iv) 讨论各基本会员提案；
- (v) 根据第 8(1)项选举本会之负责人；
- (vi) 委任合格特许审计师；
- (vii) 决定下届常年会员代表大会举行地点；
- (viii) 考虑其他根据章程规定在常年会员代表大会前所提呈的事项；
- (e) (i) 各基本会员提案，须至少于常年会员代表大会召开七天前书面提呈及寄到本会秘书处。凡抵触或超越本会章程或逾期呈来的提案，中央理事会有权拒绝之。
- (ii) 中央理事会有权归纳、修改或拒绝任何提案。

(3) 特别会员代表大会

- (a) 总会长认为需要时，得随时召开特别会员代表大会。
- (b) 四名基本会员可联名要求召开特别会员代表大会，惟其要求开会讨论的事项不可抵触本会章程任何条规。会议通告得于接到有关要求后的二十一日内印发通知所有会员。
- (c) 特别会员代表大会的法定出席人数、程序和条例则与第 7(2)(b)及(c)项常年会员代表大会的规定相同。

第 8 项 理事会

(1) 中央理事会

- (a) 本会中央理事会[简称中央理事会]由不超过五十五名理事会成员[简称中央理事会成员]组成，包括：

- (i) 全体基本会员之在任会长共十七位；
 - (ii) 根据章程第 8(1)(b)(ii)项票选出二十三位中央理事会成员；以及
 - (iii) 由总会长在中央理事会同意下委任不超过十五名中央理事会成员。
- (b)
- (i) 合格的候选人须是在任的：
 - (A) 基本会员的理事/董事；或
 - (B) 基本会员理事会/董事会成员之注册社团的理事/董事；
 - (ii) 基本会员的十七位会长得依据第 8(1)(a)(ii)项推选出二十三位票选中央理事会成员。如有任何基本会员会长缺席，则根据第 7(2)(c)(iii)项条文进行选举。
 - (iii) 若一名在任之票选中央理事随后当选为该基本会员会长职，其票选中央理事之职位将随即自动终止。
- (c) 第 8(1)(a)(i)项所规定的十七名中央理事每三年得于常年会员代表大会上(在他们之中)选出下列职位：
- 总会长一名
 - 署理总会长一名
 - 副总会长六名
- (d)
- (i) 中央理事会可委任本会之卸任总会长出任本会永久名誉会长 [简称“永久名誉会长”]。
 - (ii) 中央理事会可委任对本会有特殊贡献或功绩的德高望重之人士出任本会名誉会长 [简称“名誉会长”]。
- (e) 中央理事会可委任德高望重之人士或卸任负责人为本会执行顾问或名誉顾问[“执行顾问”或“名誉顾问”]。执行顾问或名誉顾问之特定任务由中央理事会决定。
- (f) 中央理事会得执行本会之宗旨及会员代表大会所决定的指示。

(2) 中央理事会成员提名和选举程序

(a) 候选人提名

- (i) 任何基本会员可以通过提呈由该会会长和总秘书联合签署之指定提名表格推荐候选人参与选举。
- (ii) 任何基本会员可以提名其他基本会员之候选人，指定提名表格须由提名之基本会员的会长和总秘书签署。
- (iii) 填具之提名表格须于选举年之常年会员代表大会召开前至少七天提呈予总秘书。

(b) 投票

选举以秘密投票方式进行。

(c) 程序及条例

中央理事会有权随时决定、更改和修订此项目之程序与条例。

(d) 选举/委任程序

- (i) 选举须通过下列程序进行：

(A) 选举总会长、署理总会长和六名副总会长

被提名者必须是基本会员在任会长，由十七名基本会员在任会长根据第 8(1)(c)项作出表决。

(B) 选举二十三位中央理事会成员

十七名基本会员的在任会长根据第 8(1)(b)(ii)项另选出二十三名中央理事会成员。

(C) 委任总秘书、总财政、第一副总秘书、第二副总秘书和副总财政

总会长在获得大多数中央理事会成员的核准下，得根据第 8(1)(a)(i)和(ii)项从四十名中央理事会成员中委任

总秘书、总财政、第一副总秘书、第二副总秘书和副总财政。

(D) 委任十五名中央理事会成员

总会长在获得大多数中央理事会成员的核准下有权在首次中央理事会会议召开后根据第 8(1)(a)(iii)项委任不超过十五名人士为中央理事会成员。

(3) 中央理事会会议

- (a) 中央理事会须在上一届和下一届常年会员代表大会期间至少举行三次会议。书面会议通告须于开会前至少十天发给中央理事会全体成员。会议法定出席人数至少必须有相等于在任理事会成员总数之一半(二分之一)出席方为有效。
- (b) 中央理事会可在不少过三分之一的中央理事会成员以书面要求，并列明会议议程及将之送递至本会秘书处后召开紧急会议。

书面会议通告须于开会前至少 48 小时发给中央理事会全体成员。会议法定人数至少必须有相等于在任理事会成员总数之一半(二分之一)方为有效。

(4) 执行理事会

- (a) 执行理事会由总会长、署理总会长、六名副总会长、总秘书、总财政、第一副总秘书、第二副总秘书以及副总财政联合组成。
- (b) 执行理事会负责处理本会事务以及执行任何由中央理事会所指定之任务。

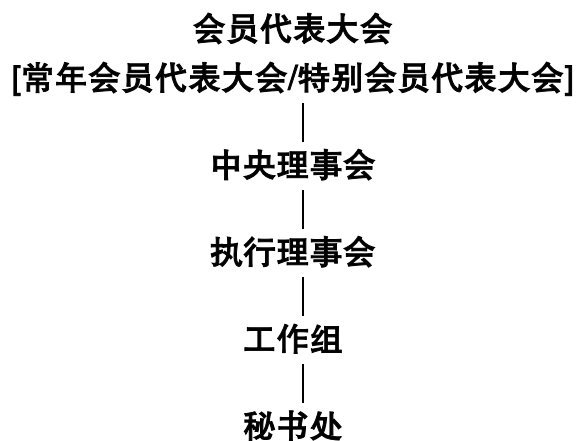
(5) 工作组

- (a) 总会长在中央理事会同意下，得视工作需要设立、重组或解散各工作组 [简称工作组]，以贯彻本会宗旨。

所有工作组的命名和职权范围，由总会长决定并得到中央理事会同意。

- (b) 各工作组之正副主任由总会长在中央理事会同意下委任。
- (c) 各工作组主任可依据职权参加中央理事会及执行理事会会议；惟并无表决权，除非他们也同时是中央理事会成员或执行理事会成员。
- (d) 各工作组将按照中央理事会及执行理事会之指示执行各别的任务。

(6) 本会组织系统



第 9 项 负责人职务

(1) 负责人

本章程第 9(2)项列出之职位皆为本会负责人。

(2) 职权

(a) 总会长

- (i) 领导本会，督促一切业务进行；
- (ii) 为本会对外首席代表；
- (iii) 召开及主持会员代表大会及中央理事会会议；

- (iv) 在有需要时设立及/或解散工作组和义务职位，并有权作推举、任免执行顾问或名誉顾问、总秘书、总财政、第一副总秘书、第二副总秘书、副总财政、各工作组正副主任人选的建议，提交中央理事会通过。
- (v) 在执行理事会核准下聘请、中止或解雇受薪职员及处理其薪金待遇事宜。惟聘请、中止或解雇总执行秘书须事先提交中央理事会通过。
- (vi) 基于本会需要设立或解散专案委员会。

(b) 署理总会长

协助总会长办理会务，遇总会长缺席及/或丧失行为能力时，代其执行所委任之任务；

(c) 副总会长

协助总会长办理会务。遇总会长和署理总会长缺席及/或丧失行为能力时，执行理事会可通过简单的多数决定推举其中一名副总会长在总会长及署理总会长缺席及/或没有行为能力时执行职务期间代总会长执行由执行理事会所委任之任务。

(d) 总秘书

秉承总会长指示及/或中央理事会委任处理本会对内和对外之会务以及督促受薪职员工作。

(e) 总财政

管理本会财务，包括但不限于其款项、收据和账目，向中央理事会提呈每月收支表、检具经会计师审核后的常年财务报告提交中央理事会及常年会员代表大会接纳，并拟定本会财政预算案提交中央理事会核准。

(f) 第一副总秘书、第二副总秘书

协助总秘书办理其职务。

(g) **副总财政**

协助总财政办理其职务。

(h) **工作组主任**

出任各别工作组及出席中央理事会并作活动及进展报告。

(i) **工作组副主任**

协助各自工作组办理有关事务。

(j) **执行顾问 / 名誉顾问**

执行顾问或名誉顾问执行之特别任务, 将由中央理事会作出指示。

(3) 任期

- (a) 本会所有负责人、名誉会长、名誉顾问及所有工作组成员任期一概为三年，直到下任中央理事会改选为止，视何者为先(以下称为“每任”)，并有资格连选或继续受委，惟总会长任期以最多连续六年为限。
- (b) 虽然章程第 9(3)(a)项有所规定，但本会总会长于在任期间必须仍是基本会员的在任会长，否则，该职位将悬空。在该职位悬空后的四十五日内须依据第 7(3)项召集紧急特别会员代表大会以补选方式填补该空缺。
- (c) 虽然章程第 9(3)(a)项有所规定，但本会署理总会长或副总会长于在任期间必须仍是基本会员的在任会长，否则，该职位将悬空，并由有关基本会员继任会长代为担任该职位，直到本会下届常年会员代表大会举行为止。
- (d) 虽然章程第 9(3)(a)项有所规定，但所有受委义务职位之任期为三年或直至选出下任中央理事会为止，视何者为先。

第 10 项 财务条款

(1) 资金运用

- (a) 本会所有收入款项，须以本会名义存入中央理事会指定之银行。提款支票须由下列六人中其中任何两者联名签署，方为有效： -
 - (i) 总会长；
 - (ii) 总财政；
 - (iii) 总秘书；
 - (iv) 任何三名中央理事会书面授权之中央理事会成员。
- (b) 总财政可保留不超过一千令吉的现款作为零用。
- (c) 总会长、总秘书或总财政可批准常年财政预算所支款项，以及没有列入常年财政预算中每次不超过一万令吉的额外开支。惟超过一万令吉的开支需获得中央理事会预先批准。

第 11 项 审计师

- (1) 常年会员大会上必须委任一名非中总负责人的专业特许审计师，以审核中总年度账目，并在常年会员大会上提呈报告。审计师的任期为一年，可以连任。

第 12 项 产业管理 / 信托人

- (1) 本会之所有不动产得在本会名下注册。
- (2) 所有有关处理本会不动产之法律文件得由本会总会长、总秘书和总财政联名签署，其法定身份须由社团注册官以证书证明并以本会印章签盖方为有效。
- (3) 除非得到本会会员大会之批准，否则不得进行任何涉及本会不动产或任何涉及单项价值超过五十万令吉之动产或有关投资之转让、抵押、租赁等交易。

第 13 项 诠释

- (1) 在会员代表大会另有议决前，中央理事会有权处理本会任何在章程范围内未有明文规定之事项，全体会员须遵从其所作决定及/或行动。

第 14 项 顾问 / 赞助人

- (1) 在需要之情况下，中央理事会可委任有资格者为中总顾问或赞助人，被委任者须呈上同意函。

第 15 项 禁止

- (1) 根据 1953 年公共赌场法令之第一和第二条款，中总办事处内严禁任何赌博游戏。
- (2) 中总不得抵触 1959 年职工会法令。

第 16 项 章程修订

- (1) 本章程可在执行理事会及/或任何四个基本会员提议且得到中央理事会预先批准，并由会员代表大会出席代表之三分之二赞同通过后加以修改。该会员代表大会所通过修改之任何项目，须于六十日内提呈社团注册局核准。在社团注册局批准后，方为有效。

第 17 项 解散

- (1) 中总须获得出席会员代表大会的基本会员商会一致通过议决方可自愿解散。
- (2) 中总以上述方法解散后，所有代表中总的欠款与产生的负债必须全部偿还，所剩下资产（如有）则由中总基本会员商会平分。
- (3) 解散通知书须于解散日期起 14 天之内提呈社团注册局。

第 18 项 旗帜、标志及徽章

标志



本会标志包括两弧形上下相对，由一直线衔接，中间贯串一圆圈如图[简称为“标志”]。标志颜色为金色。

第 19 项 秘书处

- (1) 本会秘书处(简称秘书处)包括：
 - (a) 一位总执行秘书；及
 - (b) 其他由执行理事会决定之辅助人员。
- (2) 秘书处职责和任务由总秘书按据时需决定。

备注： 本章程中文译本之诠释如与英文正本有不符之处，一概以英文正本为准。

CONSTITUTION

GABUNGAN DEWAN PERNIAGAAN DAN PERINDUSTRIAN CINA MALAYSIA (THE ASSOCIATED CHINESE CHAMBERS OF COMMERCE AND INDUSTRY OF MALAYSIA) (ACCCIM)

**(INCORPORATING AMENDMENTS OPERATIVE FROM
17TH AUGUST 2016)**

CLAUSE 1 NAME

- (1) The Association shall be known as

GABUNGAN DEWAN PERNIAGAAN DAN PERINDUSTRIAN
CINA MALAYSIA (THE ASSOCIATED CHINESE CHAMBERS OF
COMMERCE AND INDUSTRY OF MALAYSIA) (ACCCIM)

Hereinafter referred to as “the Association”.

CLAUSE 2 ADDRESS

- (1) The registered address is

6th Floor, Wisma Chinese Chamber, 258 Jalan Ampang,
50450 Kuala Lumpur.

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

6th Floor, Wisma Chinese Chamber, 258 Jalan Ampang,
50450 Kuala Lumpur.

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

CLAUSE 3 OBJECTIVE

- (1) To promote liaison and cooperation among the various Chinese Chambers of
Commerce and Industry, trade and/or industrial associations and/or business
corporations in Malaysia for the protection and advancement of the interests of
their members in respect of commerce, industry, primary industries and other
economic activities;

- (2) To study and formulate views, observations and recommendations of the Malaysian Chinese business community in respect of the nation's socio-economic development, so as to promote better understanding between the community and the Government and other public/private sector organisations, and in furtherance of this objective, to contribute towards the development of national economy and promotion of national unity;
- (3) To collect, collate and disseminate information relating to commerce, industry and other economic sectors;
- (4) To liaise with other Chambers of Commerce or economic organisations, in particular to organise or participate in meetings relating to economic matters, trade missions, exhibitions and other activities relevant to the promotion of economic cooperation;
- (5) To promote social welfare activities as well as organise or sponsor manpower training programmes or seminars beneficial to the economic development of the nation;
- (6) To arbitrate in the matter of disputes between members of ACCCIM (with the consent of both parties);
- (7) To receive and/or accept donations, gifts, grants, subsidies, securities listed in the stock exchange and any other instruments of value and to hold the same for investment and/or deal with the same; and
- (8) To perform any other services pertinent to the functions of ACCCIM.

CLAUSE 4 MEMBERSHIP

(1) MEMBERSHIP

The members of ACCCIM [hereinafter referred to as the "Members"] shall comprise of the following categories, namely:-

(a) Constituent Members

Any Chinese Chamber of Commerce and Industry or Associated Chinese Chamber of Commerce and Industry at State level in Malaysia is eligible to apply to become a constituent member of ACCCIM [hereinafter referred to as the "Constituent Members"]. Notwithstanding this provision, all Chinese Chambers of Commerce which are presently Constituent Members shall continue to be Constituent Members.

(b) Associate Members

Any trade and/or industrial association of a national level in Malaysia may apply to become an associate member of ACCCIM, [hereinafter referred to as the "Associate Members"], provided that the majority of membership of such association shall comprise of Malaysian Chinese.

(c) Corporate Members

Any company duly incorporated, with a registered office or a place of business in and carrying on business in Malaysia, may apply to become a corporate member of ACCCIM [hereinafter referred to as the "Corporate Members"], provided that the majority of the shareholdings or equity interests of such company shall be at all time held and/or controlled by Malaysian Chinese.

(d) Eminent Members

ACCCIM may invite any individual, company or association to become an eminent member for a term to be determined by the ACCCIM. There are 3 types of Eminent Members comprising:

- i. Eminent Member I
- ii. Eminent Member II
- iii. Eminent Member III

(2) PROCEDURE FOR MEMBERSHIP APPLICATION

Application for membership (Constituent, Associate and Corporate) shall be submitted to the Secretary-General who shall present the same to the National Council for consideration. The National Council reserves the right to reject any application without assigning any reason whatsoever therefor.

(3) RIGHTS AND OBLIGATIONS

- (a) All Constituent Members shall have the right to speak, vote, elect and be elected at General Assembly and to submit proposals for discussion by the National Council or General Assembly and to enjoy all the services provided by ACCCIM.
- (b) All Associate, Corporate and Eminent Members shall have the right to attend the General Assembly (their delegates shall be Malaysian Chinese) and submit proposals for discussion by the National Council or the General Assembly, and to enjoy all the services provided by ACCCIM but not the right to vote, elect or be elected at the General Assembly.

- (c) All Constituent, Associate, Corporate and Eminent Members shall abide by the Clauses herein and all procedures, rules and/or resolutions of the General Assembly or National Council.

CLAUSE 5 RESIGNATION AND TERMINATION

(1) WITHDRAWAL OF MEMBERSHIP

Any Member may withdraw from membership of ACCCIM by giving prior notice in writing to the President and upon discharging all its liabilities including but not limited to all subscriptions due (if any) by such Member. In any event its withdrawal shall become effective upon the approval of the National Council.

CLAUSE 6 SOURCE OF INCOME

(1) ENTRANCE FEE

Any organisation whose application for membership under Clause 4(1)(a) to (c) has been duly approved shall pay Ringgit Malaysia Five Thousand (RM5,000.00) only as entrance fee to ACCCIM upon admission.

Any individual/ company/ organisation whose application for Eminent Membership under Clause 4(1)(d) has been approved shall be exempted from paying any entrance fee to ACCCIM.

(2) ANNUAL SUBSCRIPTIONS

- (a) The annual subscription for each Constituent Member shall be Ringgit Malaysia Three Thousand (RM3,000.00) only, which shall be paid by the end of April of the current year.
- (b) The annual subscription for each Associate Member shall be Ringgit Malaysia Two Thousand (RM2,000.00) only, which shall be paid by the end of April of the current year.
- (c) The annual subscription for each Corporate Member shall be Ringgit Malaysia Five Thousand (RM5,000.00) only, which shall be paid by the end of April of the current year.
- (d) The National Council shall reserve the right to terminate the membership of any member who defaults in payment of subscription for two (2) consecutive years.

- (e) The annual subscription for each type of Eminent Membership shall be as follows:
- i. Eminent Member I - Ringgit Malaysia One Hundred Thousand (RM100,000.00) only;
 - ii. Eminent Member II - Ringgit Malaysia Fifty Thousand (RM50,000.00) only;
 - iii. Eminent Member III - Ringgit Malaysia Ten Thousand (RM10,000.00) only

which shall be paid by the end of April of the current year.

(3) SPECIAL SUBSCRIPTION AND FUNDS

- (a) If and when deficiencies in ACCCIM's working expenses arise, the National Council shall request all members and their affiliates, including individuals, to give special subscriptions.
- (b) ACCCIM may establish a building fund and funds for social welfare, charitable and economic purposes, and implement projects for raising the respective fund from the public, subject to approval of the relevant authorities if required. The management and regulations governing the funds, including the building fund, shall be the prerogative of the National Council.

CLAUSE 7 GENERAL MEETING

(1) GENERAL ASSEMBLY

The general assembly of ACCCIM including Annual General Meeting or Extraordinary General Meeting [hereinafter referred to as the "General Assembly"] shall constitute the supreme authority of ACCCIM.

(2) ANNUAL GENERAL MEETING

- (a) An annual general meeting of ACCCIM [hereinafter referred to as the Annual General Meeting] shall be convened yearly before the end of July, and may be convened at a venue as determined by the National Council. No less than thirty (30) days' notice of an Annual General Meeting together with the audited accounts of the preceding financial year shall be given to all Members before the date of such meeting. Each Constituent, Associate or Corporate Member may send any number of representatives to the Annual General Meeting.

- (b) The quorum for an Annual General Meeting shall be nine (9) Constituent Members.
- (c) The rules and procedures for the conduct of the Annual General Meeting shall be as follows:-
 - (i) Each Constituent Member shall nominate a chief delegate and a deputy chief delegate to represent that Constituent Member at the Annual General Meeting and shall notify the Secretariat of the same in writing not less than seven (7) days before the Annual General Meeting;
 - (ii) Representatives of a Constituent Member other than its chief delegate and deputy chief delegate shall have the right to speak subject to obtaining prior consent from their respective chief delegate;
 - (iii) Only the chief delegate or in his absence the deputy chief delegate of each Constituent Member present shall be entitled to vote;
 - (iv) Each Constituent Member present shall have one (1) vote in each voting instance;
 - (v) Save for matters relating to election of Office-Bearers, the President shall have the casting vote in the event of a tie;
 - (vi) In the case of election of Office-Bearers, voting shall be supervised by a panel of three (3) scrutineers to be appointed at the Annual General Meeting.
- (d) The agenda for every Annual General Meeting shall include the following:-
 - (i) To confirm, and if approved, to adopt the minutes of the preceding Annual General Meeting;
 - (ii) To discuss matters arising from Clause (7)(2)(d)(i);
 - (iii) To receive, and if approved, to adopt the annual report and the audited accounts for the preceding financial year;
 - (iv) To discuss any proposed resolutions duly submitted by the Constituent Members;
 - (v) To elect Office-Bearers in accordance with Clause 8(1), when applicable;
 - (vi) To appoint a qualified and licensed auditor;

- (vii) To decide the venue for the next Annual General Meeting;
- (viii) To consider any other business that may be brought before the Annual General Meeting in accordance with the Clauses herein.
- (e) (i) Proposed resolutions in writing by Constituent Members shall be submitted and received by the Secretariat at least seven (7) days before the date of Annual General Meeting. The National Council reserves the right to reject any proposed resolution(s) which in its view contravenes or in conflict with the Clauses herein or those proposed resolutions submitted after the closing date.
- (ii) The National Council shall have the right to consolidate, modify or reject any proposed resolutions.

(3) EXTRAORDINARY GENERAL MEETING

- (a) The President may convene an Extraordinary General Meeting whenever he deems necessary.
- (b) An Extraordinary General Meeting shall be convened at the joint request of at least four (4) Constituent Members provided that the matter to be discussed shall not contravene any provisions of the Clauses herein. Notice of meeting shall be given to all Members within twenty-one (21) days from the date of receipt of such request.
- (c) The quorum, procedures and rules of the Extraordinary General Meeting shall be the same as that of the Annual General Meeting as stipulated in Clause 7(2)(b) and (c) herein.

CLAUSE 8 COMMITTEE

(1) NATIONAL COUNCIL

- (a) The national council of ACCCIM [hereinafter referred to as the "National Council"] shall consist of not more than fifty-five (55) council members [hereinafter referred to as the "National Council Members"] comprising the following:-
 - (i) The seventeen (17) current presidents of all the Constituent Members;
 - (ii) Twenty three (23) National Council Members to be elected in accordance with Clause 8(1)(b)(ii); and

- (iii) A maximum of fifteen (15) National Council Members to be appointed by the President with the concurrence of the National Council.
- (b) (i) In order to be eligible for election, candidates must be current serving:-
- (A) council/committee members of a Constituent Member; or
- (B) council/committee members of a registered society(ies) which is currently represented in the central committee of a Constituent Member;
- (ii) The seventeen (17) current presidents of the Constituent Members shall elect the twenty three (23) National Council Members pursuant to Clause 8(1)(a)(ii). In the absence of any of the presidents of the Constituent Members, Clause 7(2)(c)(iii) shall apply.
- (iii) In the event that an elected National Council Member is subsequently elected as president of a Constituent Member, his position as an elected National Council Member shall automatically cease thereupon.
- (c) The seventeen (17) National Council Members as stipulated in Clause 8(1)(a)(i) shall elect among themselves once every three years at an Annual General Meeting (The year in which elections are held shall be referred to as an "Election Year") the following positions of ACCCIM:-
- The President
 - The Deputy President
 - Six (6) Vice-Presidents
- (d) (i) The National Council may appoint the past President(s) to be life honorary president(s) of ACCCIM [hereinafter referred to as the "Life Honorary President(s)"].
- (ii) The National Council may appoint prominent individuals who have made special contributions or rendered meritorious services to the Chamber to become honorary president(s) [hereinafter referred to as the "Honorary President(s)"].
- (e) The National Council may appoint prominent individuals or ex-office bearers of ACCCIM to be executive or honorary advisor(s) of ACCCIM [hereinafter referred to as the "Executive Adviser(s)" or "Honorary Adviser(s)"]. Specific duties or assignments for Executive Adviser(s) or Honorary Adviser(s) shall be determined by the National Council.

- (f) The National Council shall implement the objectives of ACCCIM and the directions as determined by the General Assembly.

(2) NOMINATION AND ELECTION PROCEDURES FOR NATIONAL COUNCIL MEMBERS

(a) Nomination of Candidates

- (i) Any Constituent Members may nominate candidates to stand for election on the prescribed nomination form which must be signed by both the president and the secretary-general of the respective Constituent Members.
- (ii) Any Constituent Member may nominate candidate(s) from any other Constituent Member by using the prescribed nomination form which must be duly signed by both the president and secretary-general of the nominating Constituent Member.
- (iii) Completed nomination forms shall be submitted to the Secretary-General at least seven (7) days before the Annual General Meeting of an Election Year.

(b) Voting

Voting shall be by secret ballot.

(c) Procedures and Rules

The National Council shall be empowered to determine, modify and amend such procedures and rules applicable under this Clause from time to time.

(d) Election / Appointment Process

- (i) Elections shall be held in the following order:-

(A) Election of the President, Deputy President and six (6) Vice-Presidents:-

Candidate(s) shall be current president(s) of the Constituent Member(s) and voting shall be exercised by the seventeen (17) current presidents of the Constituent Members in accordance with Clause 8(1)(c).

(B) Election of the twenty three (23) National Council Members:-

The seventeen (17) presidents of the Constituent Members shall elect twenty three (23) National Council Members in accordance with Clause 8(1)(b)(ii) hereof.

(C) Appointment of the Secretary-General, Treasurer, Deputy Secretary-General I, Deputy Secretary-General II and Deputy Treasurer:-

The President with the approval of the majority of the National Council Members shall appoint the Secretary-General, Treasurer, Deputy Secretary-General I, Deputy Secretary-General II and Deputy Treasurer from the forty (40) National Council Members as provided for under Clause 8(1)(a)(i) and (ii).

(D) Appointment of fifteen (15) National Council Members:-

The President, subject to the approval of the majority of the National Council Members at any time after the first meeting of the National Council, shall be entitled to appoint up to a maximum of fifteen (15) individuals to be National Council Members in accordance with Clause 8(1)(a)(iii) herein.

(3) NATIONAL COUNCIL MEETINGS

- (a) The National Council shall meet at least three (3) times during the period between the last and the next Annual General Meeting. At least ten (10) days' written notice of meeting shall be given to all National Council Members and the quorum shall be not less than one-half (1/2) of the total number of the existing National Council Members at the material time.
- (b) An Emergency National Council Meeting may be convened at the written requisition by at least one-thirds (1/3) of the National Council Members, stating the Agenda for the meeting, and duly communicated and received by the ACCCIM Secretariat.

Notice of the meeting shall be given to the Council Members at least 48 hours before the meeting. The quorum shall be not less than one-half (1/2) of the total number of the existing National Council Members at the material time.

(4) EXECUTIVE COUNCIL

- (a) The executive council of ACCCIM [hereinafter referred to as the "Executive Council"] shall consist of the President, the Deputy President, Six (6) Vice-Presidents, the Secretary-General, the Treasurer, Deputy Secretary-General I, Deputy Secretary-General II and the Deputy Treasurer.
- (b) The Executive Council shall manage the affairs of ACCCIM and carry out any other duties as may be directed by the National Council.

(5) WORKING COMMITTEES

- (a) The President shall, with the concurrence of the National Council, establish, re-organise or dissolve relevant working committees [hereinafter referred to as the "Working Committees"] as may be deemed necessary to accomplish the objectives of ACCCIM.

The name and terms of reference of each working committee so established shall be determined by the President with the concurrence of the National Council.

- (b) The chairmen and deputy chairmen of such Working Committee(s) shall be appointed by the President with the concurrence of the National Council.
- (c) The chairmen of Working Committees shall be entitled to attend and speak ex-officio at meetings of the National and/or Executive Councils, PROVIDED however, they shall have no voting rights by virtue thereof unless they are National Council Members and/or Executive Council Members, as the case may be.
- (d) The Working Committee(s) shall carry out their duties in accordance with the direction of the National Council and/or Executive Council.

(6) ORGANISATION CHART OF ACCCIM



CLAUSE 9 DUTIES OF OFFICE-BEARERS

(1) OFFICE-BEARERS

The positions as described under Clause 9(2) hereof shall be the office bearers of ACCCIM [hereinafter referred to as the "Office- Bearers"].

(2) DUTIES AND POWERS

(a) President

- (i) To lead ACCCIM and supervise the management and affairs of ACCCIM;
- (ii) To be the principal representative of ACCCIM in dealing with external affairs;
- (iii) To convene and preside at all General Assemblies and National Council Meetings;
- (iv) To establish and/or dissolve Working Committee(s) and honorary post(s) whenever necessary; to nominate, appoint and/or terminate Executive Advisors or Honorary Advisors, Secretary-General, Treasurer, Deputy Secretary-General I, Deputy Secretary-General II, Deputy Treasurer, the chairmen and deputy chairmen for respective Working Committees for approval of the National Council;
- (v) To engage, suspend or dismiss any staff and to deal with matters pertaining to remuneration and fringe benefits of the staff with the approval of the Executive Council provided that the power to

engage, suspend or dismiss the Executive Director shall not be exercised without the prior approval of the National Council; and

- (vi) To establish or dissolve Ad Hoc Committee(s) for the smooth running of ACCCIM, when necessary.

(b) Deputy President

To assist the President in carrying out his duties, deputise and/or act for the President when the latter is absent and/or disabled, and to perform such duties as may be assigned to him by the President.

(c) Vice-Presidents

To assist the President in carrying out his duties. When both the President and the Deputy President are absent and/or disabled, the Executive Council shall elect by a simple majority decision one of the Vice-Presidents during the period of the said absence and/or disability to discharge those duties of the President as assigned by the Executive Council.

(d) Secretary-General

To attend to the affairs of ACCCIM both internally and externally as delegated by the President and/or assigned by the National Council and supervise the staff.

(e) Treasurer

To be responsible for the financial matters of ACCCIM, including but not limited to its monies, voucher and accounts, submit monthly statement of income and expenditure to the National Council, prepare and present the duly audited accounts for the financial year for the approval of the National Council and the Annual General Meeting and formulate its budget for approval of the National Council.

(f) Deputy Secretary-General I, Deputy Secretary-General II

To assist the Secretary-General in carrying out his duties.

(g) Deputy Treasurer

To assist the Treasurer in carrying out his duties.

(h) Chairmen of Working Committees

To be responsible for their respective Working Committees and to attend the National Council meetings to present reports on the activities and progress of the respective Working Committees.

(i) Deputy Chairmen of Working Committees

To assist the Chairmen of the respective Working Committees in carrying out their respective duties.

(j) Executive Advisor(s) / Honorary Advisor(s)

Executive or Honorary Advisors; to carry out specific duties as may be assigned by the National Council.

(3) TENURE OF OFFICE

- (a) All Office-Bearers, Honorary President(s), Honorary Advisor(s) and members of all Working Committees shall hold office for three (3) years or until the next election of the National Council whichever is earlier [hereinafter referred to as a "Term"] and shall be eligible for re-election or re-appointment except that the President shall not hold office for more than a total of six (6) consecutive years.
- (b) Notwithstanding Clause 9(3)(a) above, the President shall only hold office for as long as he is the president of a Constituent Member, failing which his office shall fall vacant. Such vacancy shall be filled by way of an election at an Emergency General Meeting to be convened in accordance with Clause 7(3) herein within forty-five (45) days from the date of the occurrence such vacancy.
- (c) Notwithstanding Clause 9(3)(a) above, the Deputy or Vice-President(s) shall only hold that office for as long as he is the president of a Constituent Member, failing which his office shall fall vacant. Such vacancy shall be filled in an acting capacity by his successor to the post of president of the Constituent Member until the next Annual General Meeting.
- (d) Notwithstanding Clause 9(3)(a) above, all appointed Office-Bearers shall hold office for three (3) years or until the next election of the National Council, whichever is earlier.

CLAUSE 10 FINANCIAL PROVISION

(1) FINANCIAL TRANSACTIONS

- (a) All monies received shall be deposited in the name of ACCCIM in financial institution(s) designated by the National Council. All cheques drawn on the financial institution(s) shall be signed jointly by any two (2) of the following six (6) signatories:-
- (i) The President;
 - (ii) The Treasurer;
 - (iii) The Secretary-General; or
 - (iv) Any three (3) of the members of National Council duly authorised in writing by the National Council.
- (b) The Treasurer may keep in his custody at any time a sum of money not exceeding Ringgit Malaysia One Thousand (RM1,000.00) only as petty cash.
- (c) The President, the Secretary-General or the Treasurer shall have the power to authorise payment of annual budgeted expenses and at any one time sanction any non-budgeted expenses not exceeding Ringgit Malaysia Ten Thousand (RM10,000.00) only for a particular item or purpose. Any such non-budgeted expenses exceeding Ringgit Malaysia Ten Thousand (RM10,000.00) only shall require the prior approval of the National Council.

CLAUSE 11 AUDITORS

- (1) The Annual General Meeting shall appoint a qualified and licensed auditor, who shall not be office-bearer of the ACCCIM to audit the account of the ACCCIM for the year, and to prepare a report for the Annual General Meeting. The Auditor shall hold office for one year and may be reappointed.

CLAUSE 12 PROPERTY ADMINISTRATOR / TRUSTEES

- (1) All immovable properties of ACCCIM shall be registered in the name of ACCCIM.
- (2) All instruments relating to any dealings of immovable properties of ACCCIM shall be executed by the President, the Secretary-General and the Treasurer whose appointments shall be authenticated by a certificate issued by the Registrar of Societies and affixed with the seal of ACCCIM.

- (3) No transfer, charge, lease or any other dealing(s) involving any immovable property(ies); or movable property(ies) or investment(s) exceeding single item value of Ringgit Malaysia Five Hundred Thousand only (RM 500,000.00) of ACCCIM shall be effected except with the approval of the General Assembly.

CLAUSE 13 INTERPRETATION

- (1) The National Council shall have the power to deal with any matter(s) within the context and spirit of the Clauses herein which are not specifically provided, and any decision made and/or action taken thereof shall be binding on all members unless and until resolved otherwise in a General Assembly.

CLAUSE 14 ADVISOR / PATRON

- (1) The National Council shall if it deems fit and necessary appoint qualified person to be the Advisor or Patron of the ACCCIM. The person must give his consent in writing.

CLAUSE 15 PROHIBITION

- (1) None of any games of mere chances shall be played in the premises of the ACCCIM in accordance to the First and Second Schedule of the Common Gaming Houses Act 1953.
- (2) ACCCIM shall not contravene the Trade Union Act, 1959.

CLAUSE 16 AMENDMENT OF CONSTITUTION

- (1) The Clauses herein may be amended on the proposal of the Executive Council and/or any four (4) Constituent Member with the prior approval of the National Council and by a vote of at least a two-thirds (2/3) majority of the members present and voting at a General Assembly. Any amendments as are approved by such General Assembly shall be submitted to the Registrar of Societies for approval within sixty (60) days thereof, and shall only become operative upon the approval by the Registrar of Societies.

CLAUSE 17 DISSOLUTION

- (1) The ACCCIM shall only be voluntarily dissolved by a unanimous resolution of Constituent Members present in a General Meeting.

- (2) In the event of the ACCCIM being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining assets (if any) shall be distributed equally to its Constituent Members.
- (3) Notice of dissolution shall be forwarded to the Registrar of Societies within 14 days of its dissolution.

CLAUSE 18 FLAG, LOGO AND BADGE

Logo



The logo of ACCCIM shall consist of two arcs perpendicularly subscribing a concentric circle, with a common diameter providing the linkage [hereinafter referred to as the "Logo"]. The Logo shall be gold in colour.

CLAUSE 19 SECRETARIAT

- (1) The secretariat of ACCCIM [hereinafter referred to as the "Secretariat"] shall comprise of:-
 - (a) An Executive Director; and
 - (b) Any other supporting staff as may be determined by the Executive Council.
- (2) The functions and duties of the Secretariat shall be determined by the Secretary-General from time to time.



中总

ACCCIM

马来西亚中华总商会

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