

PROPOSED RESOLUTION 1

Proposer: Dr Lianne Alychia Hendriks

Seconder: Dr Renuka Gunasagaran

A resolution to form a committee dedicated to the Juniors Doctors of MMA: MMA-JDN committee (MMA-JDNC)

PREAMBLE

The Section Concerning House Officers, Medical Officers and Specialists (SCHOMOS) of the Malaysian Medical Association (MMA) has served as the principal body representing and advocating for junior doctors since its establishment in 1971. In 2016, the Malaysian chapter of the Junior Doctors Network (JDN) was formed under the auspices of SCHOMOS to strengthen engagement and advocacy for early-career doctors. Recognising the growing importance of junior doctor representation, constitutional amendments adopted at the 2022 MMA Annual General Meeting formally established the Malaysian Medical Association – Junior Doctors Network (MMA-JDN), thereby strengthening the participation and voice of junior doctors within the Association.

The formalisation of MMA-JDN reflects the evolving landscape of medical practice and the changing needs of junior doctors in Malaysia. With increasing numbers of junior doctors serving across both public and private healthcare settings, there is a growing need for a common platform that unites early-career doctors with shared interests and concerns, regardless of their sector of practice.

Beyond advocacy, MMA-JDN seeks to promote professional development, leadership, mentorship, welfare and collaboration among junior doctors, while strengthening engagement with the wider Association and relevant stakeholders. As a unifying body, MMA-JDN complements the work of SCHOMOS, the Private Practitioners Section (PPS), MMA branches and other stakeholders, providing an avenue for meaningful engagement, representation and collaboration across the public and private healthcare sectors.

Through active participation and representation at the local, regional and international levels, MMA-JDN remains committed to nurturing future leaders of the profession and ensuring that the voices of junior doctors continue to contribute meaningfully to the advancement of medicine and healthcare. The continued development of MMA-JDN reflects the Malaysian Medical Association's commitment to supporting the next generation of medical professionals and strengthening the future of the profession.

As MMA-JDN continues to evolve, there is a need for a structure that enables greater continuity, flexibility and sustainability in fulfilling its objectives. Recognising the increasingly diverse landscape of junior medical practice, as well as the expanding scope of activities undertaken by MMA-JDN at the local, regional and international levels, the establishment of the Malaysian Medical Association – Junior Doctors Network Committee (MMA-JDNC) represents a natural progression in strengthening the engagement, representation and development of junior doctors within the Association.

The formation of MMA-JDNC as an official Committee of the Malaysian Medical Association would provide a unified platform for junior doctors from both the public and private sectors, while complementing the work of existing Sections and Branches. It would facilitate leadership development, promote continuity between successive office bearers, strengthen collaborations with relevant stakeholders, and enhance the ability of MMA-JDN to undertake initiatives and represent Malaysian junior doctors both nationally and internationally.

The establishment of MMA-JDNC reflects the Malaysian Medical Association's continued commitment to nurturing future leaders of the profession and ensuring that junior doctors remain meaningfully engaged in shaping the future of medicine and healthcare in Malaysia.

RESOLUTION

The House resolves that the Malaysian Medical Association-Junior Doctors Network Committee (MMA-JDNC) be recognised as an official Committee of the Malaysian Medical Association.

PROPOSED RESOLUTION 2

Proposer: Dr. Selvanaayagam Shanmuganathan (Deputy Honorary Secretary, SCHOMOS)

Seconder: Datuk Dr. Thirunavukarasu Rajoo (President, MMA)

Resolution on the Formation of an MMA Committee on Emerging Medical Specialist Pathways

Proposed Motion

Recognising the evolving healthcare landscape and the increasing need for specialist expertise beyond traditional clinical disciplines, the MMA shall establish a dedicated Committee on Emerging Medical Specialist Pathways to study, advocate, and facilitate the development and recognition of emerging specialist disciplines within Malaysia's healthcare system.

Background

The Malaysian healthcare system has undergone significant transformation, requiring specialised expertise in areas such as Medical Administration, Medical Research, Occupational Health, Health Informatics, Digital Health, Medical Law and other evolving fields essential to modern healthcare delivery.

While many of these disciplines have established training pathways and specialist recognition frameworks internationally, their development and recognition within Malaysia remain heterogeneous. There is a need for coordinated engagement with relevant stakeholders, including the Ministry of Health, the National Specialist Register, the Malaysian Medical Council, universities, professional bodies, and healthcare institutions, to ensure structured career progression and workforce planning for these emerging specialties.

Resolution

The MMA AGM hereby resolves to:

- 1. Establish an MMA Committee on Emerging Medical Specialist Pathways** under the MMA Council.
- 2. Mandate the Committee to:**
 - Identify and prioritise emerging specialist disciplines requiring formal recognition and development.
 - Engage with relevant regulatory authorities, professional colleges, specialist societies, academic institutions, and healthcare organisations.
 - Review local and international specialist training models and best practices.
 - Develop recommendations on training standards, credentialing, accreditation, and specialist recognition pathways.
 - Advocate for equitable career progression, workforce planning, and specialist registration
- 3. Ensure broad representation within the Committee, including members from:**
 - Medical Administration; Medical Research; Academic Medicine; Digital Health and Health Informatics; Medical Law and other emerging specialties as determined by the MMA Council.

Expected Outcomes

The formation of this Committee will:

- Strengthen Malaysia's medical specialist workforce planning.
- Support the development of structured specialist training pathways.
- Enhance recognition of emerging medical disciplines.
- Promote excellence in healthcare leadership, research, occupational health, innovation, and service delivery.
- Ensure the medical profession remains responsive to future healthcare needs and challenges.

PROPOSED RESOLUTION 3

Proposer: Dr Arvindran A/L Alaga

Seconded: Dr Mohamed Namazie Bin Ibrahim

Establishment of the Finance Management Committee

WHEREAS the Malaysian Medical Association (MMA) recognises the importance of sound financial governance, transparency, accountability, and prudent stewardship of its financial resources;
AND WHEREAS the Constitution of the Malaysian Medical Association empowers the Association to establish committees to assist in the discharge of its functions and responsibilities;

AND WHEREAS the Constitution of the Malaysian Medical Association empowers the Association to establish committees to assist in the discharge of its functions and responsibilities;

IT IS HEREBY RESOLVED THAT:

1. A standing committee to be known as the **Finance Management Committee (FMC)** be established with effect from the conclusion of this Annual General Meeting.
2. The purpose of the Finance Management Committee shall be to assist the Council in overseeing the financial affairs of the Association and to provide advice and recommendations on matters relating to:
 - Financial planning and budgeting;
 - Financial performance and reporting;
 - Financial risk management;
 - Investments and reserves;
 - Internal financial controls;
 - Audit matters; and
 - Any other financial matters referred to it by the Council.
3. The Finance Management Committee shall function as a committee of the Council and shall report to the Council regularly on its activities, findings, and recommendations.
4. The **Terms of Reference of the Finance Management Committee**, as set out in the document circulated to members together with the notice of this Annual General Meeting, be and are hereby approved and adopted.
5. The Council be and is hereby authorised to:
 - Appoint the members of the Finance Management Committee;
 - Fill any vacancy arising in the Committee;
 - Make such amendments to the Terms of Reference as may be necessary from time to time, provided that such amendments are consistent with the Constitution and the objectives of the Committee, compliance with all other guidelines pertaining to finance; and
 - Take all necessary steps to implement this resolution.
6. In the event of any inconsistency between the Terms of Reference of the Finance Management Committee and the Constitution of the Malaysian Medical Association, the provisions of the Constitution shall prevail.

Explanatory Note

The purpose of this resolution is to establish a Finance Management Committee as a standing committee of the Malaysian Medical Association to strengthen financial governance and oversight. The Committee will assist the Council in monitoring the Association's financial affairs and ensuring adherence to sound financial management practices. The proposed Terms of Reference define the Committee's composition, powers, responsibilities, and reporting obligations.

ATTACHMENT - Terms of Reference of the Finance Management Committee

FINANCE MANAGEMENT COMMITTEE

MMA is governed by a Constitution, Governing Council, and Treasurer. The proposed Finance Management Committee should function as a committee of the Governing Council, with authority delegated by the Constitution and Council resolutions.

Since the association already has a Treasurer elected under the Constitution, the Treasurer should normally chair the Finance Management Committee or serve as its principal officer. The Committee should advise and oversee, but ultimate authority usually remains with the Governing Council which shall under normal circumstances shall heed the advice provided by the Finance Management Committee.

Terms of Reference and Standard Operating Procedure:

1. Authority

The Finance Management Committee ("FMC") is established pursuant to the requirement for prudent financial management of the Association and operates under the authority delegated by the Governing Council.

The FMC shall advise the Governing Council on all financial matters and assist in ensuring sound financial governance, accountability, transparency, and stewardship of the Association's resources.

The FMC shall have only those powers delegated to it by the Constitution, Governing Council, and approved policies of the Association.

2. Objectives

The objectives of the FMC are to:

- a) Safeguard the financial assets and resources of the Association.
- b) Assist the Treasurer in overseeing the financial affairs of the Association.
- c) Review and recommend annual budgets for approval by the Governing Council.
- d) Monitor the financial performance and sustainability of the Association.
- e) Ensure compliance with applicable laws, regulations, constitutional requirements, and financial policies.
- f) Advise the Governing Council on investments, reserves, risk management, and financial planning.
- g) Promote transparency and accountability in all financial matters.

3. Composition

The FMC shall comprise:

- Chairperson who is not a member of the Council and shall chair all the FMC meetings
- The Treasurer Ex officio (as Deputy Chairperson);
- The President or nominee of the Governing Council;
- At least three (3) members who are not members of the Council appointed by the Governing Council;
- The Chief Operating Officer as an ex-officio member non-voting member;
- The Finance Manager or Finance Officer (where applicable) as an ex-officio non-voting member.
- The Governing Council may appoint additional members with relevant financial, accounting, legal, investment, or governance expertise.

4. Duties and Responsibilities

The FMC shall:

4.1 Budget and Financial Planning

- a) Prepare and review the annual operating budget.
- b) Recommend the annual budget to the Governing Council for approval.
- c) Monitor income and expenditure against approved budgets.
- d) Review significant budget variances and recommend corrective measures.

4.2 Financial Oversight

- a) Review periodic financial statements.
- b) Monitor cash flow and liquidity.

- c) Review reserves and investment performance.
- d) Ensure proper financial controls and accounting procedures are maintained.

4.3 Governance and Compliance

- a) Ensure compliance with the Constitution, by-laws, policies, and statutory requirements.
- b) Review financial risks affecting the Association.
- c) Recommend financial policies and amendments for Governing Council approval.
- d) Monitor implementation of audit recommendations.

4.4 Audit

- a) Liaise with external auditors.
- b) Review audited financial statements together with the internal auditors before submission to the Governing Council.
- c) Recommend appointment or reappointment of external auditors.

5. Role of the Treasurer

The Treasurer shall:

- a) Serve as Chairperson of the FMC meetings in the absence of the Chairperson.
- b) Provide leadership in financial governance.
- c) Present financial reports to the Governing Council and Annual General Meeting.
- d) Ensure proper books of account are maintained.
- e) Oversee implementation of financial policies approved by the Governing Council.
- f) Act as principal liaison between the FMC and Governing Council on financial matters.

6. Meetings

6.1 Frequency

The FMC shall meet at least quarterly and more frequently as required.

6.2 Quorum

A quorum shall consist of not less than one-half of the appointed members.

6.3 Decisions

The FMC shall endeavour to reach decisions by consensus. Where a vote is required, decisions shall be by simple majority of members present and voting.

The Chairperson shall have a casting vote in the event of a tie.

6.4 Minutes

Minutes shall be recorded by the Secretary or designated officer and submitted to the next FMC meeting for confirmation.

Approved minutes shall be reported to the Governing Council.

7. Financial Authority

Unless otherwise provided in the Constitution or by Governing Council resolution:

- a) The FMC may review and recommend expenditure and budget adjustments and ensure compliance with the various financial guidelines as approved by the Governing Council.
- b) The FMC shall not approve expenditure beyond limits delegated by the Governing Council.
- c) Expenditure exceeding delegated limits shall require Governing Council approval.
- d) All bank accounts shall be operated in accordance with approved signatory arrangements.

8. Reporting

The FMC shall report to each meeting of the Governing Council on:

- Financial performance;
- Budget status;
- Cash flow position;
- Investments and reserves;
- Significant financial risks;

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- Audit matters;
- Recommendations requiring Council approval.

9. Conflict of Interest

Members shall declare any actual, potential, or perceived conflict of interest.

A member with a declared conflict shall abstain from discussion and voting on the relevant matter.

All declarations shall be recorded in the minutes.

10. Confidentiality

Members shall maintain confidentiality regarding all financial, contractual, employment, investment, and other sensitive information obtained in the course of their duties.

11. Review

These Terms of Reference and Standard Operating Procedure shall be reviewed at least every three (3) years and any amendments shall be approved by the Governing Council.

12. Interpretation

In the event of any inconsistency between these Terms of Reference and the Constitution of the Association, the Constitution shall prevail.

This version is closer to the governance framework used by professional associations such as medical associations, legal societies, engineering institutions, and other membership-based bodies where the Governing Council is the ultimate authority, and the Treasurer is a constitutional office bearer.

PROPOSED RESOLUTION 4

Proposer: Datuk Dr Thirunavukarasu Rajoo

Seconder: Dr Vasu Pillai Letchumanan

(On behalf of the MMA Exco)

Naming the New Conference Hall at MMA House as "MMA Hall"

PREAMBLE

The Malaysian Medical Association (MMA) has, over the past 66 years, established itself as a strong and respected voice of the medical profession in Malaysia and is widely recognised by members, stakeholders and the public.

The completion of the renovation and upgrading of MMA House presents an opportunity to further strengthen and promote the Association's identity, heritage and institutional legacy.

The new conference hall located on the 1st Floor of MMA House will serve as a key venue for MMA meetings, conferences, educational programmes and professional events. Naming the hall "MMA Hall" would reinforce the MMA brand and reflect the Association's standing as the premier professional medical association in the country.

RESOLUTION

The House resolves that the new conference hall located on the 1st Floor of MMA House be officially named "MMA Hall" in recognition of and to further strengthen the branding, identity and legacy of the Malaysian Medical Association.

PROPOSED RESOLUTION 5

Proposer: Dr Ravindran R Naidu

Seconder: Prof Dr Jayakumar Gurusamy

(On behalf of the MMA Elections Committee)

MMA ELECTION GOVERNANCE TERMS OF REFERENCE (TOR)

PREAMBLE

WHEREAS the Malaysian Medical Association (MMA) is committed to upholding the highest standards of democratic governance and institutional integrity;

WHEREAS fair, transparent, and credible elections are the bedrock of the Association's legitimacy and the trust reposed in it by its members;

WHEREAS the adoption of a formalized Terms of Reference (TOR) will safeguard against procedural ambiguities and promote a more inclusive and professionally managed electoral process;

BE IT THEREFORE RESOLVED THAT:

"THAT the Malaysian Medical Association Election Governance Terms of Reference (TOR), Version 2.0 (September, 2026), be and is hereby formally adopted and approved for implementation, and that this TOR shall take effect immediately, subject always to the overriding provisions of the MMA Constitution."

MALAYSIAN MEDICAL ASSOCIATION

ELECTION GOVERNANCE

TERMS OF REFERENCE (TOR)

Version 2.0

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PREAMBLE

The Malaysian Medical Association ("MMA") is committed to conducting elections that are free, fair, transparent, impartial and consistent with the provisions of the MMA Constitution.

The Elections Committee is established under Clause 7 of the Constitution as an autonomous body entrusted with the conduct and administration of elections for the principal office bearers of the Association. The integrity and credibility of the electoral process depend upon the Elections Committee exercising its constitutional functions independently, impartially and without undue influence or interference.

These Terms of Reference ("TOR") are adopted to provide a comprehensive framework governing the administration of MMA elections. It prescribes uniform procedures for nominations, campaigning, voting, counting of votes, declaration of results, record management and the review of election-related decisions.

These TOR are intended solely to give practical effect to the provisions of the MMA Constitution. It shall not amend, override or diminish any provision of the Constitution nor confer upon any person or body powers that are not expressly or impliedly provided by the Constitution.

In particular—

- (a) the constitutional autonomy of the Elections Committee shall be preserved at all times;
- (b) the Council shall exercise only those functions conferred upon it by the Constitution and shall not interfere with the operational decisions of the Elections Committee except where expressly authorised by the Constitution;
- (c) the Election Review Panel established under this TOR shall exercise a limited supervisory jurisdiction to ensure compliance with the Constitution, the Election Regulations and the principles of natural justice, and shall not function as a general appellate body on the merits of decisions made by the Elections Committee;
- (d) the Internal Dispute Resolution mechanism established under Clause 30 of the Constitution shall not be used as an alternative or additional mechanism for reviewing decisions of the Elections Committee or the Election Review Panel in matters arising from the conduct of elections, except where expressly provided by the Constitution or required by law.

This TOR shall be interpreted purposively to promote democratic governance, constitutional compliance, procedural fairness, transparency, consistency, institutional integrity and public confidence in the electoral process of the Malaysian Medical Association.

PART I – PRELIMINARY

1. Authority

1.1 Constitutional Authority

These Terms of Reference are prepared by the Elections Committee pursuant to Clause 7 of the Constitution of the Malaysian Medical Association for the purpose of governing the conduct and administration of elections for the principal office bearers of the Association.

These Terms of Reference give practical effect to the constitutional functions of the Elections Committee and shall be read subject to the Constitution. Where any inconsistency arises, the Constitution shall prevail.

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1.2 Purpose

The purpose of These TOR are to provide a comprehensive framework governing the administration of elections for the principal office bearers of the Association, while preserving the constitutional autonomy of the Elections Committee and ensuring compliance with the MMA Constitution.

1.3 Constitutional Supremacy

This TOR shall at all times be read subject to, and consistently with, the MMA Constitution.

Where any provision of these TOR are inconsistent with the Constitution, the Constitution shall prevail to the extent of the inconsistency.

Nothing contained in these TOR shall be construed as amending, limiting, enlarging or otherwise affecting the powers, duties or functions conferred by the Constitution.

1.4 Status of the TOR

These TOR supplement and operationalises the provisions of the Constitution relating to the conduct of elections.

It shall not create any substantive rights, obligations or powers inconsistent with the Constitution.

2. Application

2.1 Scope

These TOR shall apply to—

- (a) the Elections Committee;
- (b) members of the Election Review Panel;
- (c) all candidates and nominees;
- (d) proposers and seconders;
- (e) eligible voters;
- (f) authorised election observers;
- (g) persons appointed to assist in the conduct of elections; and
- (h) every person participating in the administration of MMA elections.

2.2 Elections Covered

These TOR applies to every election conducted under the authority of the MMA Constitution unless otherwise expressly provided.

3. Objects

The objects of these TOR are to—

- (a) preserve the constitutional autonomy and independence of the Elections Committee;
- (b) ensure that elections are conducted fairly, impartially, transparently and consistently;

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- (c) promote compliance with the MMA Constitution and Election Regulations;
 - (d) provide clear, uniform and transparent procedures governing the conduct of elections;
 - (e) ensure equal treatment of all candidates and members participating in the electoral process;
 - (f) safeguard the integrity, confidentiality and security of the voting process;
 - (g) promote confidence in the electoral process amongst members of the Association;
 - (h) provide an independent mechanism for the review of election-related decisions within the limits prescribed by These TOR;
 - (i) ensure that election-related disputes are determined expeditiously and fairly in accordance with the Constitution and the principles of natural justice; and
 - (j) maintain complete and accurate records of the electoral process.
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4. Guiding Principles

These TOR shall be interpreted and administered in accordance with the following principles—

4.1 Constitutional Supremacy

The Constitution of the Malaysian Medical Association is the supreme governing instrument of the Association and prevails over These TOR and every election-related procedure.

4.2 Autonomy of the Elections Committee

The Elections Committee shall exercise its constitutional powers independently and autonomously.

No person, office bearer, committee or organ of the Association shall direct, influence, interfere with or substitute the operational decisions of the Elections Committee except where expressly authorised by the Constitution.

4.3 Independence

Members of the Elections Committee and the Election Review Panel shall discharge their duties independently, impartially and in good faith.

4.4 Fairness

All candidates and members shall be treated fairly and equally throughout the election process.

4.5 Transparency

Election procedures shall be transparent and conducted in accordance with published rules and timelines.

4.6 Consistency

The Elections Committee shall apply the Constitution, These TOR and the Election Regulations consistently to all candidates and members without favour or discrimination.

4.7 Integrity

Every election shall be conducted honestly, professionally and in a manner that preserves public confidence in the Association.

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4.8 Natural Justice

Every person affected by a decision of the Elections Committee shall be afforded procedural fairness, including—

- (a) an opportunity to be heard where appropriate;
- (b) a decision made by an impartial decision-maker;
- (c) adequate reasons for significant decisions where reasonably practicable; and
- (d) freedom from actual or apparent bias.

4.9 Confidentiality

Confidential information obtained during the election process shall be protected and used solely for lawful election purposes.

4.10 Finality

Election-related disputes shall be determined promptly so as to preserve certainty and confidence in the electoral process.

The Election Review Panel shall exercise only the jurisdiction conferred by These TOR, and its determination shall be final and binding, subject only to the Constitution and applicable law.

5. Definitions

In These TOR, unless the context otherwise requires—

"Candidate" means a member whose nomination has been accepted by the Elections Committee.

"Constitution" means the Constitution of the Malaysian Medical Association as amended from time to time.

"Council" means the Council of the Malaysian Medical Association constituted under the Constitution.

"Election Committee" means the committee established under Clause 7 of the Constitution.

"Election Cycle" means the period commencing with the publication of the notice calling for nominations and ending with the declaration of election results and completion of all election review proceedings.

"Election Regulations" means any regulations, procedures or directions lawfully issued by the Elections Committee pursuant to the Constitution for the conduct of elections.

"Election Review Panel" means the independent panel established under These TOR to review decisions of the Elections Committee within the limits prescribed by These TOR.

"Eligible Voter" means a member entitled to vote under the Constitution.

"Nominee" means a member whose nomination has been submitted but not yet determined by the Elections Committee.

"Observer" means a person authorised by the Elections Committee to observe any part of the election process.

"Review" means a review conducted by the Election Review Panel in accordance with Part VIII of These TOR and does not include a rehearing or a general appeal on the merits of the decision.

6. Interpretation

6.1 Purposive Interpretation

These TOR shall be interpreted in a manner that gives effect to the objects of the Constitution and preserves the constitutional autonomy of the Elections Committee.

6.2 No Expansion of Constitutional Powers

Nothing contained in These TOR shall be interpreted as conferring upon the Council, the Executive Committee, the Election Review Panel or any other body powers that are not authorised by the Constitution.

6.3 Preservation of Electoral Independence

Where two interpretations of These TOR are reasonably open, the interpretation that best preserves the constitutional independence of the Elections Committee shall be preferred, provided that such interpretation is consistent with the Constitution.

6.4 Internal Dispute Resolution

Nothing contained in These TOR shall permit the Internal Dispute Resolution mechanism established under Clause 30 of the Constitution to be used as a substitute for, or additional review of, decisions of the Elections Committee or the Election Review Panel concerning the conduct of elections, except where expressly provided by the Constitution or required by law.

PART II – THE ELECTIONS COMMITTEE

7. Constitutional Status

7.1 Establishment

The Elections Committee is established pursuant to Clause 7 of the MMA Constitution as an autonomous committee responsible for the conduct and administration of elections for the principal office bearers of the Association.

7.2 Constitutional Authority

The Elections Committee derives its authority directly from the Constitution.

In exercising its constitutional functions, the Elections Committee shall act independently and shall not be subject to the direction or control of the Council, the Executive Committee, or any other person or body except where expressly provided by the Constitution.

7.3 Autonomy

The autonomy of the Elections Committee shall be respected at all stages of the election process.

No person or body shall interfere with, influence, delay, vary or substitute any decision of the Elections Committee except in accordance with the Constitution and These TOR.

8. Composition

The composition of the Elections Committee shall be in accordance with Clause 7 of the Constitution.

Every member of the Elections Committee shall—

- (a) be a member in good standing of the Association;
 - (b) not be a member of the Council;
 - (c) not be a member of any Branch Committee;
 - (d) not be a candidate for any office in the election concerned;
 - (e) not actively campaign for or against any candidate; and
 - (f) discharge his or her duties impartially and independently.
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9. Functions

The Elections Committee shall have responsibility for the conduct of elections and shall exercise all powers reasonably necessary for the proper discharge of its constitutional functions.

Without limiting the generality of the foregoing, the Elections Committee shall—

- (a) issue notices calling for nominations;
 - (b) determine election timetables;
 - (c) prescribe nomination procedures;
 - (d) verify the constitutional eligibility of nominees;
 - (e) determine the validity of nominations;
 - (f) administer campaigning in accordance with the Constitution and Election Regulations;
 - (g) supervise voting procedures;
 - (h) safeguard the integrity, confidentiality and security of the voting process;
 - (i) supervise the counting and verification of votes;
 - (j) determine election-related complaints arising before the declaration of results;
 - (k) declare election results;
 - (l) maintain election records; and
 - (m) submit such reports to the Council as may be required under the Constitution.
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10. Powers

For the purpose of carrying out its constitutional functions, the Elections Committee may—

- (a) issue Election Regulations consistent with the Constitution;
- (b) prescribe election forms and procedures;
- (c) require nominees to provide documents necessary to establish constitutional eligibility;
- (d) seek clarification from candidates, proposers or seconders;
- (e) determine questions relating to nominations and election procedures;
- (f) issue directions necessary for the orderly conduct of elections;
- (g) appoint technical advisers or administrative personnel to assist in conducting elections; and
- (h) exercise such incidental powers as are reasonably necessary for the proper administration of elections.

11. Independence in Decision-Making

11.1 General Principle

Every decision of the Elections Committee shall be made independently and solely in accordance with—

- (a) the Constitution;
- (b) These TOR;
- (c) the Election Regulations; and
- (d) the evidence and material properly before the Committee.

11.2 Freedom from External Influence

No member of the Council, Executive Committee, Branch Committee, candidate, office bearer or member of the Association shall seek to influence or interfere with the deliberations or decisions of the Elections Committee.

11.3 Communications

Communications with the Elections Committee concerning matters requiring determination shall be made through the Chairman or Secretary of the Committee.

No person shall communicate privately with an individual member of the Elections Committee for the purpose of influencing any pending decision.

12. Conflicts of Interest

12.1 Duty to Disclose

A member of the Elections Committee who has an actual, potential or perceived conflict of interest in relation to any matter shall immediately disclose that conflict to the Chairman.

12.2 Circumstances Giving Rise to Conflict

Without limitation, a conflict of interest may arise where a member—

- (a) is related to a candidate;
- (b) has publicly endorsed or campaigned for a candidate;
- (c) has a financial or personal interest in the outcome;
- (d) has previously acted for or advised a party concerning the matter under consideration; or
- (e) has any other interest that may reasonably give rise to an apprehension of bias.

12.3 Recusal

A member who has a conflict of interest shall not participate in—

- (a) discussions;
- (b) deliberations;
- (c) voting; or
- (d) decision-making.

relating to that matter.

The remaining members of the Elections Committee may determine whether recusal is required where the existence of a conflict is disputed.

13. Reasons for Decisions

Where the Elections Committee makes a decision materially affecting the rights or eligibility of a candidate, nominee or member, it shall provide written reasons sufficient to explain—

- (a) the decision reached;
- (b) the constitutional or regulatory provisions relied upon; and
- (c) the principal reasons supporting the decision.

The Committee is not required to provide reasons in respect of routine administrative decisions.

14. Records of Decisions

The Elections Committee shall maintain proper records of—

- (a) meetings;
- (b) resolutions;
- (c) decisions;
- (d) reasons where applicable;
- (e) election notices;
- (f) nomination determinations;
- (g) complaints;
- (h) reviews; and
- (i) declarations of results.

Such records shall be securely retained as official records of the Association.

15. Relationship with the Council

15.1 Governance Oversight

The Council shall retain general governance oversight in relation to the electoral framework established by the Constitution.

Such oversight includes—

- (a) appointing the Elections Committee in accordance with the Constitution;
- (b) approving Election Regulations where the Constitution so requires;
- (c) receiving reports from the Elections Committee; and
- (d) considering amendments to the Constitution or Election Regulations.

15.2 Operational Independence

The Council shall not—

- (a) direct the Elections Committee as to how any nomination, complaint or election-related issue should be determined;
- (b) substitute its own decision for that of the Elections Committee;
- (c) vary or set aside a decision of the Elections Committee except where expressly authorised by the Constitution; or
- (d) interfere with the conduct of an election in progress.

15.3 Respect for Constitutional Functions

The Council, Executive Committee and every office bearer of the Association shall respect the constitutional independence of the Elections Committee in the discharge of its functions.

PART III – ELECTION ADMINISTRATION

16. Election Cycle

16.1 Commencement

The election cycle shall commence upon the publication by the Elections Committee of the Notice of Election calling for nominations.

16.2 Completion

The election cycle shall conclude upon—

- (a) the declaration of the election results;
- (b) the completion of any review proceedings under Part VIII of These TOR; and
- (c) the submission of the Elections Committee's final report to the Council.

17. Election Timetable

17.1 Publication

The Elections Committee shall publish an Election Timetable before the commencement of the nomination period.

17.2 Contents

The Election Timetable shall specify—

- (a) the opening and closing dates for nominations;
- (b) the period for verification of nominations;
- (c) the publication of the provisional list of candidates;
- (d) the period within which an application for review of a nomination decision may be made;
- (e) the publication of the final list of candidates;
- (f) the commencement and conclusion of the campaign period;

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- (g) the voting period
- (h) the counting of votes;
- (i) the declaration of results; and
- (j) any other dates considered necessary by the Elections Committee.

17.3 Amendments

The Elections Committee may amend the Election Timetable where reasonably necessary for the proper conduct of the election.

Any amendment shall—

- (a) be supported by written reasons;
 - (b) be communicated promptly to all affected persons; and
 - (c) apply equally to all candidates.
-

18. Notice of Election

The Elections Committee shall issue a Notice of Election inviting nominations for all offices to be filled.

The Notice shall include—

- (a) the offices to be contested;
 - (b) the constitutional eligibility requirements;
 - (c) nomination procedures;
 - (d) nomination deadlines;
 - (e) voting dates;
 - (f) campaign requirements;
 - (g) relevant Election Regulations; and
 - (h) any additional administrative information considered necessary by the Elections Committee.
-

19. Nominations

19.1 Submission

Every nomination shall—

- (a) be submitted in the prescribed form;
- (b) be received within the nomination period;
- (c) contain all information required by the Elections Committee;
- (d) be proposed and seconded by members who are in the electoral role and eligible under the Constitution; and
- (e) include such declarations or supporting documents as may reasonably be required to verify constitutional eligibility.

19.2 Constitutional Eligibility

The Elections Committee shall determine whether every nominee satisfies the eligibility requirements prescribed by the Constitution.

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In determining eligibility, the Elections Committee shall apply the Constitution according to its ordinary meaning, having regard to its text, context and purpose.

The Elections Committee shall not waive, vary or dispense with any constitutional eligibility requirement.

19.3 Verification

The Elections Committee may—

- (a) verify membership records;
- (b) examine Council service records;
- (c) seek clarification from nominees;
- (d) request supporting documents; and
- (e) undertake such enquiries as are reasonably necessary to determine constitutional eligibility.

19.4 Determination

Following verification, the Elections Committee shall determine whether—

- (a) the nomination is valid;
- (b) further information is required; or
- (c) the nomination is invalid.

The decision of the Elections Committee shall be communicated promptly to the nominee together with the reasons required under Part II of These TOR.

20. Publication of Candidates

Upon completion of the nomination process, the Elections Committee shall publish—

- (a) the provisional list of eligible candidates;
- (b) any offices remaining uncontested; and
- (c) the date upon which the final list of candidates will be published.

Where an application for review has been lodged under Part VIII, publication of the final list shall await the determination of that application.

21. Candidate Withdrawal

A candidate may withdraw from an election by giving written notice to the Elections Committee before the commencement of voting.

The Elections Committee shall promptly notify members of any withdrawal.

22. Candidate Information

The Elections Committee may publish—

- (a) candidate profiles;
- (b) manifestos;
- (c) declarations of interest;
- (d) photographs; and
- (e) other election materials,

provided that every candidate is afforded equal opportunity and equal treatment.

23. Confidentiality of Nomination Process

Until the publication of the provisional list of candidates—

- (a) nominations;
- (b) supporting documents;
- (c) verification records;
- (d) deliberations of the Elections Committee; and
- (e) correspondence relating to nominations,

shall remain confidential except where disclosure is authorised by the Constitution, required by law, or necessary for the proper administration of the election.

24. Equality of Treatment

The Elections Committee shall administer every election so as to ensure—

- (a) equality of opportunity;
- (b) consistency of decision-making;
- (c) impartial application of the Constitution and Election Regulations;
- (d) procedural fairness; and
- (e) the avoidance of actual or perceived favouritism.

No candidate shall receive preferential treatment.

25. Administrative Directions

The Elections Committee may issue administrative directions necessary for the orderly conduct of elections.

Administrative directions—

- (a) shall be consistent with the Constitution, These TOR and the Election Regulations;
- (b) shall not alter any constitutional eligibility requirement;

- (c) shall apply equally to all candidates; and
 - (d) shall be published where they materially affect the conduct of the election.
-

PART IV – CAMPAIGNING AND ELECTION CONDUCT

26. Campaign Principles

26.1 Equal Opportunity

Every eligible candidate shall be afforded an equal opportunity to present his or her qualifications, experience, vision and policies to the membership.

26.2 Fair Campaigning

Campaigning shall be conducted fairly, honestly, professionally and with respect for fellow candidates and members.

All candidates shall conduct themselves in a manner consistent with the values, dignity and reputation of the Malaysian Medical Association.

26.3 Compliance

Every candidate shall comply with—

- (a) the MMA Constitution;
 - (b) These TOR;
 - (c) the Election Regulations;
 - (d) lawful directions issued by the Elections Committee; and
 - (e) any applicable policies governing the use of Association resources.
-

27. Campaign Period

27.1 Commencement

Campaigning shall commence only after the Elections Committee has published the final list of eligible candidates.

27.2 Conclusion

Campaigning shall cease at the commencement of the voting period unless otherwise authorised by the Elections Committee.

28. Permitted Campaign Activities

Candidates may—

- (a) publish manifestos;

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- (b) distribute campaign materials;
 - (c) communicate with members through lawful means;
 - (d) participate in candidate forums organised or approved by the Elections Committee;
 - (e) respond to questions from members; and
 - (f) undertake any other lawful campaign activity consistent with These TOR.
-

29. Equal Access

Where the Elections Committee provides candidates with access to Association communication platforms or election-related facilities, such access shall be provided on an equal and non-discriminatory basis.

No candidate shall receive preferential access to Association resources.

30. Use of Association Resources

Association funds, assets, databases, mailing lists, official publications, staff, facilities and electronic communication systems shall not be used to confer an unfair electoral advantage upon any candidate.

Official MMA communication channels shall not be used to promote or oppose any candidate unless expressly authorised by the Elections Committee for election purposes and applied equally to all candidates.

31. Campaign Standards

Candidates shall not—

- (a) knowingly publish or disseminate false or misleading statements concerning another candidate;
- (b) make statements intended to intimidate, threaten or harass another candidate or member;
- (c) engage in personal attacks unrelated to a candidate's suitability for office;
- (d) improperly use confidential information obtained through the Association;
- (e) falsely represent the endorsement or support of the Association or any of its organs;
- (f) misuse the Association's name or logo in a manner likely to mislead members;
- (g) offer gifts, inducements, financial benefits or other improper incentives in exchange for electoral support;
- (h) interfere with the proper conduct of the election.

Nothing in this clause prevents robust, respectful and evidence-based debate concerning policies, governance or matters affecting the Association.

32. Campaign Materials

Candidates shall remain responsible for the accuracy and content of all campaign materials published or distributed on their behalf.

The Elections Committee may prescribe reasonable requirements relating to—

- (a) format;
- (b) length;
- (c) submission deadlines; and
- (d) publication procedures,

provided such requirements are applied uniformly to all candidates.

33. Candidate Forums

The Elections Committee may organise candidate forums, debates or presentations.

Where such forums are organised—

- (a) every candidate contesting the same office shall be afforded an equal opportunity to participate;
 - (b) questions shall be administered fairly;
 - (c) proceedings shall be conducted impartially; and
 - (d) reasonable time limits may be imposed.
-

34. Election Complaints During Campaign

34.1 Jurisdiction

The Elections Committee shall have exclusive jurisdiction to determine complaints arising during the campaign period relating to—

- (a) campaign conduct;
- (b) election materials;
- (c) candidate eligibility;
- (d) election procedures; and
- (e) compliance with These TOR or the Election Regulations.

34.2 Complaints

Any complaint shall—

- (a) be submitted in writing;
- (b) identify the conduct complained of;
- (c) provide supporting evidence where available; and
- (d) be lodged within the time prescribed by the Elections Committee.

34.3 Determination

The Elections Committee may—

- (a) dismiss the complaint;
- (b) seek further information;
- (c) provide the affected candidate an opportunity to respond;
- (d) issue directions necessary to remedy any procedural irregularity;

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- (e) require correction or withdrawal of campaign material that contravenes These TOR or the Election Regulations; or
- (f) make any other order reasonably necessary to preserve the integrity and fairness of the election.

The Elections Committee shall provide brief written reasons for any determination materially affecting the rights of a candidate.

35. Compliance with Directions

Every candidate shall comply promptly with any lawful direction issued by the Elections Committee concerning the conduct of the election.

Failure to comply may constitute grounds for further action by the Elections Committee in accordance with the Constitution, These TOR and the Election Regulations.

36. Preservation of Electoral Integrity

The Elections Committee shall take such reasonable steps as are necessary to preserve—

- (a) the integrity of the election;
- (b) equality between candidates;
- (c) public confidence in the electoral process; and
- (d) compliance with the Constitution, These TOR and the Election Regulations.

In exercising these powers, the Elections Committee shall act proportionately and shall not restrict lawful campaigning except where reasonably necessary to protect the integrity and fairness of the election.

Excellent. This Part completes the operational responsibilities of the Elections Committee. I have also deliberately made the **declaration of results by the Elections Committee authoritative**, subject only to the limited review jurisdiction that we will establish later for the Election Review Panel.

I have **not** included any role for Council in certifying or confirming the results because Clause 7 does not confer such a role.

PART VI – COUNTING OF VOTES, DECLARATION OF RESULTS AND CERTIFICATION

50. Counting of Votes

50.1 Responsibility

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The Elections Committee shall be solely responsible for the counting, verification and certification of all votes cast.

50.2 Counting Process

The counting of votes shall be conducted in a manner that is—

- (a) accurate;
- (b) transparent;
- (c) secure;
- (d) verifiable; and
- (e) consistent with the Constitution, These TOR and the Election Regulations.

50.3 Integrity of the Count

The Elections Committee shall ensure that appropriate safeguards are in place to maintain the integrity of the counting process, including verification of vote totals and reconciliation of voting records where applicable.

51. Scrutineers

51.1 Appointment

The Elections Committee may appoint independent scrutineers to observe the counting of votes.

51.2 Role

Scrutineers shall—

- (a) observe the counting process;
- (b) verify compliance with approved procedures;
- (c) report any procedural concerns to the Elections Committee; and
- (d) maintain strict confidentiality.

Scrutineers shall not participate in decision-making or interfere with the counting process.

52. Verification of Results

Before declaring the results, the Elections Committee shall verify—

- (a) the total number of votes cast;
- (b) the validity of the votes counted;
- (c) the reconciliation of vote totals;
- (d) the accuracy of the counting process; and
- (e) that any identified irregularities have been appropriately addressed.

The Elections Committee may repeat any stage of the verification process where it considers this necessary to ensure the integrity of the election.

53. Recount

53.1 Discretionary Recount

Where the Elections Committee considers that a recount is necessary to verify the accuracy of the result, it may conduct a recount on its own initiative.

53.2 Mandatory Recount

The Elections Committee shall conduct a recount where—

- (a) a counting error is identified;
- (b) there is credible evidence that the declared vote totals may be inaccurate; or
- (c) exceptional circumstances exist that may materially affect the election outcome.

The decision whether to conduct a recount shall rest solely with the Elections Committee.

54. Declaration of Results

Upon completion of the counting and verification process, the Elections Committee shall declare the election results.

The declaration shall include—

- (a) the office contested;
- (b) the successful candidate;
- (c) the number of votes received by each candidate where appropriate;
- (d) any uncontested offices; and
- (e) any additional information the Elections Committee considers appropriate.

The declaration of results shall constitute the official election outcome unless subsequently varied by the Election Review Panel in accordance with Part VIII of These TOR.

55. Certification of Election

Following the declaration of results, the Elections Committee shall certify that the election has been conducted in accordance with—

- (a) the MMA Constitution;

- (b) These TOR;
- (c) the Election Regulations; and
- (d) the principles of fairness and natural justice.

Where the Elections Committee identifies any material irregularity affecting the integrity of the election, it shall take such corrective action as is authorised by the Constitution and These TOR before issuing its certification.

56. Correction of Administrative Errors

The Elections Committee may correct any clerical, computational or administrative error that does not materially affect the outcome of the election.

Where the correction materially affects the declared result, the Elections Committee shall provide written reasons and notify all affected candidates and members.

57. Election Records

The Elections Committee shall maintain complete records of the election, including—

- (a) nomination forms;
 - (b) candidate declarations;
 - (c) correspondence;
 - (d) voting records;
 - (e) counting sheets;
 - (f) audit reports;
 - (g) recount reports;
 - (h) decisions and written reasons;
 - (i) declarations of results; and
 - (j) any other records relevant to the conduct of the election.
-

58. Retention of Records

Election records shall be securely retained for a minimum period of seven (7) years or for such longer period as may be required by law or by the Constitution.

Access to election records shall be restricted to persons authorised by the Elections Committee, except where disclosure is required by law or authorised under These TOR.

59. Final Election Report

Within a reasonable time after the completion of the election process, the Elections Committee shall prepare a Final Election Report for submission to the Council.

The report may include—

- (a) a summary of the election process;
- (b) the declared election results;
- (c) any procedural issues encountered;
- (d) recommendations for improving future elections;
- (e) any amendments proposed to the Election Regulations or These TOR.

The Final Election Report shall be informational in nature.

Neither the submission nor receipt of the Report shall confer upon the Council any authority to review, vary or overturn any operational decision or determination of the Elections Committee made during the conduct of the election.

60. Completion of Election

The conduct of the election shall be deemed complete upon—

- (a) the declaration of the election results;
- (b) the determination of any review proceedings under Part VIII;
- (c) the certification of the election by the Elections Committee; and
- (d) the submission of the Final Election Report.

Upon completion of the election, the decisions of the Elections Committee shall be final, subject only to the limited review jurisdiction of the Election Review Panel established under Part VIII of These TOR.

PART VII – ELECTION REVIEW PANEL

61. Establishment

61.1 Election Review Panel

An independent Election Review Panel ("ERP") shall be established for the sole purpose of reviewing decisions of the Elections Committee in accordance with this Part.

61.2 Constitutional Purpose

The Election Review Panel is established to safeguard constitutional compliance while preserving the autonomy and independence of the Elections Committee.

It shall not function as a general appellate body or substitute its own judgment for that of the Elections Committee on matters properly within the Committee's discretion.

62. Composition

62.1 Membership

The Election Review Panel shall comprise three (3) members appointed by the Council.

Members of the Panel shall—

- (a) be Life Members of good standing and preferably have served as principal office bearers of Malaysian Medical Association before;
- (b) not be members of the Elections Committee;
- (c) not be members of the Council or Executive Committee;
- (d) not be candidates in the election under review;
- (e) have no actual, potential or perceived conflict of interest.

62.2 Chairperson

The members shall elect one member to serve as Chairperson of the Election Review Panel.

63. Jurisdiction

The Election Review Panel shall have jurisdiction only in respect of decisions of the Elections Committee.

Its jurisdiction is supervisory in nature and is confined to determining whether a decision of the Elections Committee—

- (a) is inconsistent with the MMA Constitution;
- (b) exceeds the constitutional powers of the Elections Committee;
- (c) contravenes the Election Regulations;
- (d) is affected by a material breach of the principles of natural justice; or
- (e) is affected by a material procedural irregularity capable of affecting the outcome of the decision.

The Panel shall not review the merits of a decision merely because it would have reached a different conclusion.

64. Right to Apply for Review

A nominee, candidate or member directly affected by a decision of the Elections Committee may submit an application for review.

No person may seek a review solely on the basis of disagreement with the merits of the decision.

65. Time for Application

An application for review shall be submitted in writing within forty-eight (48) hours of the applicant receiving notification of the Elections Committee's decision unless the Election Review Panel is satisfied that exceptional circumstances justify an extension.

66. Contents of Application

Every application shall—

- (a) identify the decision under review;
- (b) specify the constitutional or procedural grounds relied upon;
- (c) include supporting documents;
- (d) specify the relief sought;
- (e) be signed by the applicant.

Applications based upon general dissatisfaction or disagreement with the decision shall not be accepted.

67. Preliminary Assessment

The Chairperson may summarily dismiss an application where—

- (a) the Panel has no jurisdiction;
- (b) the application is frivolous or vexatious;
- (c) no recognised ground of review has been disclosed;
- (d) the application is out of time and no extension is granted.

Reasons shall be provided for every summary dismissal.

68. Review Procedure

The Election Review Panel shall determine the procedure appropriate to each review. It may—

- (a) determine the matter on the documents;
- (b) invite written submissions;
- (c) convene an oral hearing where necessary;
- (d) obtain clarification from the Elections Committee;
- (e) seek additional documents;
- (f) seek advice of the Constitution and Resolution Review Committee on Constitutional matters if necessary

Proceedings shall be conducted fairly, expeditiously and with as little formality as circumstances permit.

69. Powers

Following its review, the Election Review Panel may—

- (a) affirm the decision of the Elections Committee;
- (b) remit the matter to the Elections Committee for reconsideration with directions consistent with the Constitution;
- (c) vary the decision only to the extent necessary to remedy a constitutional or procedural error;
- (d) set aside the decision where it is satisfied that the decision—
 - i. is inconsistent with the Constitution;
 - ii. exceeds the powers conferred upon the Elections Committee;
 - iii. contravenes the Election Regulations;
 - iv. is affected by a material denial of natural justice; or
 - v. is affected by a material procedural irregularity that has caused or is likely to have caused substantial injustice.

The Election Review Panel shall not substitute its own view on matters committed to the discretion of the Elections Committee unless necessary to remedy one of the grounds specified above.

70. Written Reasons

Every determination of the Election Review Panel shall—

- (a) be in writing;
 - (b) identify the issues considered;
 - (c) state the grounds upon which the determination is made;
 - (d) specify the orders made.
-

71. Finality

The determination of the Election Review Panel shall be final and binding upon—

- (a) the Elections Committee;
- (b) the Council;
- (c) the Executive Committee;
- (d) every candidate;
- (e) every applicant; and
- (f) every member of the Association.

There shall be no further internal appeal or review.

72. Relationship with Clause 30 of the Constitution

The Election Review Panel established under These TOR constitutes the exclusive internal mechanism for reviewing decisions of the Elections Committee.

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The Internal Dispute Resolution mechanism established under Clause 30 of the MMA Constitution shall not be invoked as an appeal or review against a decision of the Elections Committee or the Election Review Panel concerning the conduct of elections.

Nothing in this clause prevents a complaint under Clause 30 concerning conduct unrelated to the determination of election matters where such complaint falls properly within the scope of Clause 30 of the Constitution.

73. Costs

Each party shall bear its own costs unless the Election Review Panel determines that an application is frivolous, vexatious or an abuse of process.

74. Confidentiality

Review proceedings shall remain confidential unless the Election Review Panel determines that disclosure is necessary in the interests of fairness or transparency.

75. Publication

The Election Review Panel may publish a summary of its determination where it considers that publication will assist future interpretation of the Constitution or promote consistency in election administration.

Personal or confidential information shall be redacted where appropriate.
