



CONSTITUTION AND BYE-LAWS



CONSTITUTION AND BYE-LAWS



MALAYSIA

Nº AA 0104

AKTA PEMBANGUNAN SUKAN 1997
KEBENARAN PINDAAN UNDANG-UNDANG

Nama Badan Sekan : **PERSATUAN GOLF MALAYSIA**
Alamat Berdaftar : **No. 14, Jalan 4/76C**
Desa Pandan
55100 Kuala Lumpur
No. Pendaftaran : **0193/98**

Pindaan undang-undang yang berkembar ini telah diluluskan dan boleh dikuatkuasa mulai pada tarikh _____

Tarikh **14.5.2009**

NIK MAHMUD BIN NIK YUSOF

Pesuruhjaya Sukan
Malaysia

1576270 - 2004N - 6/1

FIRST PRINT 2005
SECOND PRINT 2008
THIRD PRINT 2009
FOURTH PRINT 2018

CONSTITUTION OF THE MALAYSIAN GOLF ASSOCIATION

(Effective 14 May 2009)

NAME

- Article 1. The name of the Association shall be "Malaysian Golf Association" (hereinafter referred to as "the Association").

REGISTERED OFFICE

- Article 2. The registered office of the Association shall be No. 14, Jalan 4/76C, Desa Pandan, 55100 Kuala Lumpur, Malaysia or at such other address as may from time to time be decided by the Association.

OBJECTS

- Article 3. The objects of the Association shall be as follows :-
- (a) Generally to encourage and promote the pursuit of the game of golf in Malaysia and to raise funds for such purpose.
 - (b) To obtain affiliation with international golf associations and other organizations established for the promotion of the sport and to represent Malaysia thereon.
 - (c) To promote representative matches against other nations and to participate in representative matches amongst nations.
 - (d) To uphold the Rules of Golf as prescribed for the time being by the Royal and Ancient Golf Club of St. Andrews subject to such local rules as fall within the Recommendations for Local Rules made by the Rules of Golf Committee or are necessary to meet climatic conditions.
 - (e) To promote an annual Amateur Championship, the Malaysian Open Golf Championship for professionals and any other Championship meetings, and to fix the conditions of participation and play therein and to offer, procure, give and contribute towards prizes and awards thereof.
 - (f) To establish, regulate and maintain a handicap system following the USGA Handicap System in its entirety, or such other handicap system as may be replaced by the Committee.
 - (g) To fix the course ratings of golf courses of Affiliated Clubs in

accordance with the U.S.G.A. Golf Handicap System.

- (h) To afford means whereby disputes and differences concerning golf in Malaysia may be settled.
- (i) To ensure that its Constitution and Bye-Laws are observed and abided by its Affiliates.
- (j) To control and exercise jurisdiction as the governing body over all activities in Malaysia and over all representatives of Malaysia abroad in relation to amateur golf in Malaysia.
- (k) To conduct its activities without discrimination as to sex, race, colour, religion, social origin, language, political inclination or any other opinion.

POWERS

Article 3A. Subject to the provisions of the Constitution, the Association shall also have the following powers :-

- (a) To purchase, take on lease or exchange or otherwise acquire any movable or immovable property and any rights therein and to sell or otherwise dispose of the same.
- (b) To construct, improve, maintain, develop or otherwise manage any buildings, academies, golf courses or other works and to contribute to subsidize or otherwise assist or take part in the construction, improvement, maintenance, development and management thereof.
- (c) To lease, let or otherwise deal with the Association's property.
- (d) To borrow or raise money and to secure the repayment thereof in any way and in particular by charging all or any of the Association's property.

PATRONS

Article 4. The Committee may appoint persons of high rank and distinction to be patrons of the Association.

MEMBERSHIP

Article 5. (a) Membership of the Association shall be limited to Golf Clubs, State Golf Associations, the National Associations of individual golfers or other associations or representative bodies involved in golf in Malaysia as may be approved by the Committee.

The term "Golf Club" shall include any legally constituted club, which has a golfing section and possesses a golf course of not less than nine holes.

- (b) Associate Membership of the Association shall be limited to individual persons resident in Malaysia. Such a person shall be called an "Associate Member". An Associate Member shall not be entitled to attend and vote at the Annual General Meeting or any other General Meeting of the Association, but he shall be entitled to such benefits, as the Committee shall decide.

APPLICATION FOR MEMBERSHIP

- Article 6
- (a) Any Golf Club or State Golf Association or other associations or representative bodies wishing to become a Member shall apply in writing to the Honorary Secretary of the Association giving full particulars of the club or association. The application shall be considered by the Committee and if approved such club or association or representative body shall become a Member. A Member of the Association is hereinafter called an "Affiliate", an "Affiliated Club" or an "Affiliated Association" as the context requires.
- (b) Any individual person resident in Malaysia may apply to be an Associate Member in a form approved by the Committee and if approved by the Committee, he shall become an Associate Member.

SUBSCRIPTIONS

- Article 7.
- (a) There shall be an entrance fee of RM2, 500.00 for an Affiliated Club with a golf course of less than 18 holes and an entrance fee of RM5, 000.00 for an Affiliated Club with a golf course of 18 holes or more.
- (b) An Affiliated Club with a club membership shall pay an annual subscription based on the number of holes on its golf course on the 31st day of December of the previous year on the following scale :-

Club with up to 9 holes	RM	400.00
Club with up to 18 holes or Club with up to 9 holes but with 1000 members or more	RM	1,000.00
Club with up to 27 holes	RM	1,500.00
Club with more than 27 holes	RM	2,000.00

An Affiliated Club, without club membership shall pay an annual subscription based on the number of holes on its golf course on the 31st day of December of the previous year on the following scale :-

Club with up to 9 holes	RM	400.00
Club with up to 18 holes	RM	800.00
Club with more than 18 holes	RM	1,000.00

- (c) An Affiliated Club shall pay an annual Fund for Junior Development Programme as follows :-

Club with up to 9 holes	RM	300.00
Club with up to 18 holes	RM	600.00
Club with up to 27 holes	RM	900.00
Club with up to 36 holes or more	RM	1,200.00

- (d) State Golf Associations, the Malaysian Ladies Golf Association and the Senior Golfers' Society shall pay no entrance fee. Any other National Associations of individual golfers or other affiliated associations representative bodies shall if accepted by the Committee pay an entrance fee of RM1,000.00.

State Golf Associations, the Malaysian Ladies Golf Association and the Senior Golfers' Society, any other National Associations of individual golfers or other affiliated associations representative bodies shall if accepted by the Committee pay an Annual Subscription of RM500.00.

- (e) An Associate Member shall pay an entrance fee of RM200.00 and an annual subscription of RM120.00
- (f) Subscriptions and the contributions to Junior Development Programme Fund referred to in Article 7(b) & (c) above shall be due and payable on the 1st day of January in each year. Any Affiliate having failed to pay such subscription and contributions by the 1st day of May shall cease to be a Member unless re-instated by the Association in General Meeting.

Any Associate Member having failed to pay such subscription by the 1st day of May shall cease to be an Associate Member.

- (g) The Association shall have power to levy annually such further subscription towards its funds as may be decided at any General Meeting by a majority of 3/4 of the delegates present and voting in person.

RESIGNATION

- Article 8. Any Affiliate wishing to resign from the Association shall give notice thereof in writing to the Honorary Secretary on or before 31st December in any year, otherwise the Affiliate shall be liable to pay its subscription for the ensuing year.

COMPETITIONS

- Article 9. Members of Affiliated Clubs shall not take part in any golf competition in Malaysia organised by any Golf Club not affiliated to the Association. Any person who is in breach of this Article may, at the discretion of the Committee be debarred from competitions held under the auspices of the Association.

COMMITTEE

- Article 10. (a) The Management of the Association shall be vested in a Committee consisting of a President, two Vice-Presidents, an Honorary Secretary and a Treasurer and may include up to nineteen other members consisting of:-

a member representing Johor

a member representing Kedah

a member representing Kuala Lumpur

a member representing Kelantan

a member representing Malacca

a member representing Negeri Sembilan

a member representing Pahang

a member representing Penang

a member representing Perlis (Amended 14.05.09)

a member representing Perak

a member representing Sabah

- a member representing Sarawak
- a member representing Selangor
- a member representing Terengganu

Six (6) members appointed by the Committee under Article 10 (e).

- (b) Committee Members shall be elected at the Annual General Meeting of the Association save for Committee Members appointed under Article 10(e) hereof.
- (c) Each Committee Member so elected shall hold office for two years and shall retire at the second Annual General Meeting of the Association after the meeting at which he was elected. A retiring Committee Member shall be eligible for re-election. Any person representing a State or Federal Territory who ceases to reside in that State or Federal Territory shall cease to be a Committee Member unless the Committee decides to allow him to remain till his term expires.
- (d) Any post not filled or any vacancy occurring in the Committee may be filled by the members thereof who may act notwithstanding any vacancy in their body provided that if the post of President becomes vacant, such post shall be filled by the Vice-President who has been longest in office, and if the Vice-Presidents became Vice-Presidents on the same day, then it shall be decided by lot. A person appointed to fill any post or vacancy shall retire at the next Annual General Meeting of the Association.
- (e) The Committee may at any time appoint up to six additional persons onto the Committee. Any person so appointed shall retire at the next Annual General Meeting of the Association following his appointment but shall be considered a Committee Member at such general meeting. Such a retiring Committee Member shall be eligible for election at any Annual General Meeting or for reappointment under this Article.
- (f) The President shall preside at all General Meetings and all meetings of the Committee and the Executive Committee and shall be responsible for the proper conduct of all such meetings. He shall have a casting vote at all such meetings and shall sign the minutes of each meeting at the time they are approved.

- (g) The Committee may deal with all matters, which are within the scope of the objects of the Association provided that at the discretion of the Committee any matter may be reserved for the decision of the Association in General Meeting.
- (h) The Committee shall consider such matters as fall to it for action or otherwise, in such manner and at such time and place as may from time to time be determined by the members thereof.
- (i) Decisions and actions of the Committee other than those of a routine nature shall be recorded and reported to the next Annual General Meeting.
- (j) At a meeting of the Committee at least one-half of the Committee Members shall form a quorum.
- (k) The Committee shall delegate to the Executive Committee the power to administer the business of the Association and to exercise the powers of the Committee between meetings. The Executive Committee shall also be delegated the power of the Committee to appoint Sub-Committees and it shall also have such powers as are contained in these Articles.
- (l) The representatives of the States shall perform their duties to ensure that the Association's relationship with the States and the Affiliated Clubs within the States is looked after and the interests of the States and the Affiliated Clubs within the States are made known to the Association. Representatives shall represent the Association at golf tournaments or other functions in their States and shall submit reports to the Committee for the period between Committee meetings.

EXECUTIVE COMMITTEE

Article 11. The Executive Committee shall consist of the following :-

- (i) The President
- (ii) The Two (2) Vice-Presidents
- (iii) The Honorary Secretary
- (iv) The Treasurer
- (v) Not more than Six (6) other members of the Committee appointed by the Committee

INDEMNITY OF COMMITTEE MEMBERS, ETC.

- Article 12. Any person who may be or has been from time to time a Member of the Committee or Executive Sub-Committee or Sub-Committee of the Association shall be entitled to be indemnified out of the assets of the Association against all obligations and liabilities incurred as a result of or by virtue of his membership of such Committee, Executive Sub-Committee or Sub-Committee, provided he has acted in good faith in the exercise of any power or in the performance of any duty for the Association.
- Article 13. No member of the Committee or the Executive Committee or Sub-Committees shall use the name of the Association or his position in the Association for his business or personal gain. Whenever a conflict of interest situation arises, the person involved shall immediately declare his interest and not be involved in any deliberations or decisions in respect thereof

TRUSTEES

- Article 14. Immovable property belonging to the Association and other securities so purchased shall be in the name of the Association which shall not convey, transfer or charge any or all of the said properties unless it has the approval of its Affiliates by way of a resolution passed by a majority of at least three fourths (¾) of the votes of the Affiliates present and voting.

GENERAL MEETINGS

- Article 15. (a) The Annual General Meeting of the Association shall be held at the time and place where the Malaysian Open Amateur Championship is being held, or at such other time and place not later than the month in which the Malaysian Open Amateur Championship is played as deemed convenient and suitable by the Committee.

Any other General Meeting shall be held whenever convened at the instance of the Committee or on the request in writing of not less than 20 Affiliates.

- (b) 21 clear days' notice of all General Meetings shall be given to all Affiliates.
- (c) Nominations for Committee or notice of any special business shall be given by Affiliates to the Honorary Secretary not later than 14 clear days before the General Meeting. Nominations must be in writing duly proposed and seconded by Affiliates or Committee Members with the written consent of the nominee.

7 clear days' notice shall be given by the Honorary Secretary to the Affiliates and Committee Members of any name which is submitted by an Affiliate or a Committee Member for election to the Committee or when any Affiliate or a Committee Member desires to bring forward any special business at any General Meeting. Such notice shall state precisely the matter or the terms of any resolution to be submitted to the meeting.

- (d) At all General Meetings Affiliates shall be entitled to be represented by delegates and each Affiliate shall be entitled to vote on the following scale:-

Affiliated Association	-1 delegate
Affiliated Clubs with not more than 1000 resident members	-1 delegate
Affiliated Clubs with more than 1000 but not more than 1500 resident members	-2 delegates
Affiliated Clubs with more than 1500 but not more than 2000 resident members	-3 delegates
Affiliated Clubs with more than 2000 but not more than 2500 resident members	-4 delegates
Affiliated Clubs with more than 2500 resident members	-5 delegates

A delegate of an Affiliate may exercise all the votes to which the Affiliate he represents is entitled and he shall be personally appointed and duly accredited in writing by that Affiliate and the delegate must be either a member of the Affiliate or a full time employee of the Affiliate. No other person may represent an Affiliate and no proxies are allowed. Names of each delegate shall be served in writing to the Honorary Secretary at least 7 days before any General Meeting.

- (e) Each Committee Member present in person shall have one (1) vote.

For the purpose of Articles 15(f), 15(g) and 15(h) the words "delegate" and "delegates" shall include a Committee Member and Committee Members respectively.

- (f) At all General Meetings 20 delegates shall form a quorum. If a quorum is not present within 30 minutes of the scheduled time for the General Meeting, the General Meeting will automatically be adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the Chairman may decide and at such meeting those delegates present shall be a sufficient quorum.
- (g) Unless otherwise provided in the Constitution all questions shall be decided by a simple majority of the delegates present and voting in person. Voting in respect of the election of the Committee Members shall be by secret ballot."

The Chairman of the meeting shall have a casting vote.

- (h) The business of the Annual General Meeting shall be conducted in the following order :-
- (i) To receive delegates' credentials in writing.
 - (ii) To confirm the minutes of any previous Annual and/or other General Meeting.
 - (iii) Matters arising therefrom.
 - (iv) To read and confirm the report of the Committee and the fully audited financial statements for the past year.
 - (v) To elect members to the Committee in place of those retiring.
 - (vi) To fix the venue and dates of championships and such tournaments within the Association's authority.
 - (vii) To consider any further business duly brought before the meeting.

AUDITOR

- Article 16. The Association at the Annual General Meeting may appoint such person as it may think fit to be the auditor of the Association.

FINANCIAL YEAR

- Article 17. The financial year of the Association shall commence on 1st January in each year.

FUNDS

- Article 18. The funds of the Association may be used only for the objects of the Association.

ALTERATION OF THE CONSTITUTION

- Article 19. Subject to the approval of the Commissioner of Sports, the provisions of the Constitution may be replaced, amended or added to at any Annual or other General Meeting by a resolution passed by a majority of 3/4 of the delegates present and voting in person. The notice convening the meeting shall specify the proposed amendments.

BYE-LAWS

- Article 20. The Committee may make, alter, or repeal Bye-Laws not inconsistent with the provisions of the constitution. Any Bye-Law so made and any alteration or repeal shall be confirmed at the next or a subsequent Committee Meeting. Upon such confirmation the Bye-Law alteration or repeal shall be binding on all Affiliates.

DISSOLUTION

- Article 21. (a) The Association shall not be dissolved except by a resolution passed at a General Meeting convened for such purpose by a majority of not less than 3/4 of all Affiliates eligible to vote at General Meetings under Article 15(d).
- (b) In the event of the Association being dissolved all debts and liabilities legally incurred on behalf of the Association shall be fully discharged and any remaining funds shall be given or transferred to some other body or association having similar objects to the objects of the Association and approved by the Commissioner of Sports.

DISPUTES

- Article 22. Any dispute between an Affiliate and the Association, or with another Affiliate of the Association, shall be resolved amicably in the first instance through mediation or alternate dispute resolution and if amicably resolved at this stage, the matter shall be deemed fully settled with no further recourse. If mediation fails, then such dispute shall be referred to an arbitration tribunal within Malaysia where an arbitrator(s) are appointed with the consent of the parties concerned. After exhausting all avenues of resolution, the matter may be referred to the Minister responsible for sports under the Sports Development Act whose decision shall be final under Section 24 of the said Act.

EFFECTIVE DATE

- Article 23. This Constitution comes into force on 17th March 2005 (The approval date by the Commissioner of Sports.)

BYE-LAWS OF THE MALAYSIAN GOLF ASSOCIATION (updated as of 3rd March 2018)

EXECUTIVE COMMITTEE

Article 1. The duties and powers of the Executive Committee are:

- (a) to exercise the powers of the Committee between meetings;
- (b) to administer the business of the Association;
- (c) to authorize payments pending the approval of the budget by the Committee.
- (d) to decide on the Association's representation to any international meeting, conference seminar or international competitions;
- (e) to prepare all necessary reports to the Committee.
- (f) to fix the date venue and agenda of meetings of the Committee and General Meeting.
- (g) to convene an Arbitration Tribunal to settle any dispute referred to in this Constitution;
- (h) to establish an appeal body to hear and adjudicate on any appeal from any person who is not satisfied with any decision of the Amateur Status Sub-Committee.
- (i) to appoint, or dismiss, any employee of the Association.
- (j) to submit after each Annual General Meeting its audited accounts with reports on all its activities and the use and disbursement of all its funds its preceding financial year to the Commissioner of Sports together with such other reports as he may require, and.
- (k) to ensure that selection procedures for players, officials and coaches and any other person to represent the Country are open and fair.

SUB-COMMITTEE

Article 2

- (a) The Executive Committee shall appoint members, designate the Chairman and outline the term of reference and duties of all Sub-Committees. The Chairman of such Sub-Committee shall report directly to the Executive Committee and shall perform their duties under the direction of the Executive Committee. The Executive Committee may at its discretion remove any Chairman or member of the Sub-Committees or fill any vacancy.
- (b) The Sub-Committee of the Association are:
 - (i) the Finance Sub-Committee;
 - (ii) the Rules Sub-Committee;
 - (iii) the Competitions Sub-Committee;
 - (iv) the Amateur Status Sub-Committee;
 - (v) the Handicap Sub-Committee;
 - (vi) the National Teams Training and Selection Sub-Committee;
 - (vii) the Junior Development Sub-Committee;
 - (viii) the Web Page and Publishing Sub-Committee;
 - (ix) the Association Members Sub-Committee;
 - (x) the Slope Rating Sub-Committee

- (xi) the Audit Sub-Committee and;
- (xii) such other Sub-Committee as the Executive Committee may from time to time decide.

FINANCE SUB-COMMITTEE

Article 3. The responsibilities and authorities of the Finance Sub-Committee shall be:

- (a) to review at regular interval the financial position of the Association, and make regular reports and recommendations to the Executive Committee;
- (b) manage the cash balances of the Association and to raise funds for the Association;
- (c) when deemed appropriate, to invest funds and to manage all investments from time to time so comprised, with full to make changes provided that no investment shall be made in anything other than in fixed deposits with licensed finance companies and in government securities;
- (d) to cause to be prepared an annual budget and to submit such budget to the Executive Committee before the beginning of the year for approval;
- (e) to monitor periodically all income and all expenditure, and to call for details with thought fit, and to advise the Executive Committee of any major variation against budgets or other major factor which ought to be brought to its attention;
- (f) to be responsible for effecting and maintaining all appropriate insurance policies and to submit to the Executive Committee for decision, any question of policy relating to insurance, and to submit to the Executive Committee a summary of the cover force;
- (g) to cause the Association's annual accounts to be prepared and audited by the Association's auditors so as to enable the same to be submitted to the delegates at the Annual General Meeting.
- (h) to submit recommendations to the Executive Committee from time to time on the terms and conditions of service of employees of the Association; and
- (i) to perform such other functions as may be delegated to it by the Executive Committee.

The Treasurer shall be the Chairman of the Finance Sub-Committee and he shall appoint such person to it subject to the approval of the Executive Committee. Member of the Finance Sub-Committee shall serve for one year up to the Annual General Meeting but may be re-appointed.

- (j) That in supporting and promoting the pursuit of the sport of golf in Malaysia amongst our Affiliated Clubs and which are within the scope of the objects of the Association, and when deemed appropriate, to raise funds in connection with activities (including but not limited to the import of buggies and golf machineries) approved by the Ministry of Finance, Ministry of Trade and Investment, Malaysian Industrial Development Authority, Ministry of Tourism or any other Ministries or agencies of the government

RULES SUB-COMMITTEE

Article 4. The Rules Sub-Committee shall consist of a Chairman and such persons who are knowledgeable on the Rules of Golf as he shall appoint subject to the approval of the Executive Committee. Members of the Rules Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

The function and authorities of the Rules Sub-Committee shall be:

- (a) to interpret and give decisions on the Rules of Golf and to refer such matters to the Royal and Ancient Golf Club of St. Andrews when necessary;
- (b) to monitor and control its expenditure within the budget approved by Executive Committee and to report any deviations therefrom;
- (c) to make regular reports to the Executive Committee and to submit major policy recommendations to the Executive Committee for decision;
- (d) to conduct seminars and training on the Rules of Golf and to develop person competent to serve on a referees panel; and
- (e) to perform such other functions as may be delegated to it by the Executive Committee.

COMPETITIONS SUB-COMMITTEE

Article 5. The Competitions Sub-Committee shall consist of Chairman and such persons as he shall appoint subject to the approval of the Executive Committee. Members of the Competitions Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

- (a) The function and authorities of the Competitions Sub-Committee shall be to promote, organize and control such competitions, matches and events as the Committee may determine and to carry on activities directly arising therefrom provided that all sponsorship and commercial activities connected therewith shall require the prior approval of the Executive Committee;
- (b) to cause estimates of income and expenditure to be prepared for inclusion in the annual budget for approval by the Executive Committee;
- (c) to monitor regularly income and expenditure against and to control expenditure within the annual budget and to advise the Executive Committee of any material variation;
- (d) to establish limits of expenditure for employees, referees and other volunteers subject to the prior approval of the Executive Committee and control the authorization and reimbursement of personal expenses incurred by them, so far as such expenditure and expenses fall to be charged against activities of the Competitions Sub-Committee;
- (e) to appoint and oversee a referees' panel to officiate at competitions organized by the

Competitions Sub-Committee, clubs, and other golfing organizations:

- (f) to make regular reports to the Executive Committee and to keep the Executive Committee fully informed and;
- (g) to perform such other functions as may be delegated to it by the Executive Committee.

AMATEUR STATUS SUB-COMMITTEE

Article 6. The Amateur Status Sub-Committee shall consist of a Chairman and such persons knowledgeable on the Rules of Amateur Status, as he shall appoint subject to approval of the Executive Committee. Members of the Amateur Status Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

The functions and authorities of Amateur Status Sub-Committee shall be:

- (a) to interpret and to administer and enforce the Rules of Amateur Status, to give decisions thereon (if necessary after consulting the Royal & Ancient Golf Club of St. Andrews) and to make such arrangements as it deems appropriate for the Publication of the Rules and Decisions;
- (b) to keep a record of persons who have lost their amateur status and persons who have been reinstated;
- (c) to carry out its functions in accordance with policy decisions approved by the Executive Committee and if necessary to prepare a budgets to be approved by the Executive Committee and to report any deviations therefrom.
- (d) to make regular reports to the Executive Committee and to keep the Executive Committee fully informed and;
- (e) to perform such other functions as may be delegated to it by the Executive Committee.

HANDICAP SUB-COMMITTEE

Article 7. The Handicap Sub-Committee shall consist of a Chairman and such person who are knowledgeable on handicap systems as he shall appoint subject to the approval of the Executive Committee. Members of the Handicap Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

The functions and authorities of Handicap Sub-Committee shall be;

- (a) to establish and regulate a national handicap system using the USGA Handicap System unless it is replaced by another system by the Executive Committee;
- (b) to work with any operator for implementing the system;
- (c) to monitor and control its income and expenditure within the budget approved by the Executive Committee and to report any deviations therefrom:

- (d) to work with Affiliates and to assist them to use the national handicap system;
- (e) to make regular reports to the Executive Committee and to keep the Executive Committee fully informed; and
- (f) to perform such other functions as may be delegated to it by the Executive Committee.

NATIONAL TEAMS TRAINING AND SELECTION SUB-COMMITTEE

Article 8. The National Teams Training and Selection Sub-Committee shall consist of a Chairman and such persons who are knowledgeable in such matters, as he shall appoint subject to the approval of the Executive Committee. Members of the National Teams Training and selection Sub-Committee need not be members of any Affiliate and shall serve for one year up to the next Annual General Meeting but may be re- appointed.

The functions and authorities of the National Teams Training and Selection Sub-Committee shall be:

- (a) to be responsible for training of the National team or teams, to appoint coaches and to work with the coaches, players and the National Sports Council or other governments bodies;
- (b) to be responsible for the selection of national teams representing the Country for which the Association is responsible subject to the approval of the Executive Committee;
- (c) to appoint the Captain and /or Manager of any team selected , subject to the approval of the Executive Committee who may at their discretion themselves make the appointment;
- (d) to prepare an annual budget to be approved by the Executive Committee and to monitor and control its expenditure within the approved budget and to report to the Executive Committee any deviations therefrom;
- (e) to make recommendations to the Executive Committee regarding sponsorship for teams;
- (f) to make regular reports to the Executive Committee and to keep the Executive Committee fully informed; and
- (g) to perform such other functions as may be delegated to it by the Executive Committee.

JUNIOR DEVELOPMENT SUB-COMMITTEE

Article 9. The Junior Development Sub-Committee shall consist of a Chairman and such person as he shall appoint, who need not be members of any Affiliated, subject to the approval of the Executive Committee. Members of the Junior Development Sub-Committee shall serve for one year up to the next Annual General but may be re-appointed.

The functions and authorities of Junior Development Sub- Committee shall be:

- (a) to be responsible for the development of junior golf and to produce a plan for its development which will include if deemed necessary the establishment of a separate body for junior golf;
- (b) to appoint the personnel and develop the infrastructure necessary to achieve its Objectives;
- (c) to increase the numbers of juniors playing golf and to popularize the sport amongst them;
- (d) to provide competitions and training facilities for juniors;
- (e) to prepare an annual budget to be approved by the Executive Committee and to monitor and control its expenditure within the approved budget and to report to the Executive Committee any deviations from the approved budget; and
- (f) to perform such other functions as may be delegated to it by the Executive Committee.

WEB PAGE PUBLISHING SUB-COMMITTEE

Article 10. The Web Page and Publishing Sub-Committee shall consist of a Chairman and such person as he persons as he shall appoint, who need not be members of any Affiliated, subject to the approval of the Executive Committee. Members of the Web Page and Publishing Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

The functions and authorities of the Web Page and Publishing Sub-Committee shall be:

- (a) to be responsible for the well being of the web page of the Association and to work with any operator assisting the Association;
- (b) to develop the web page to be not only a source of information for the Association but also as a revenue earning resource of the Association;
- (c) to be responsible for any publications of the Associations;
- (d) to prepare an annual budget to be approved by the Executive Committee and to Inform the Executive Committee of any deviations therefrom the budget;
- (e) to make regular reports to the Executive Committee and to keep the the Executive Committee fully informed; and
- (f) to perform such other functions as may be delegated to it by the Executive Committee.

ASSOCIATE MEMBERS SUB-COMMITTEE

Article 11. The Associate Members Sub-Committee (AMSC) shall consist of a Chairman and such persons as he shall appoint subject to the approval of the Executive Committee (EXCO). Members of the Associate Members Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed

The AMSC shall be guided by the following:

- 11.1.1. Vision: Golf For All - Golf should be a sport that can be enjoyed by all walks of life.

- 11.1.2. Missions:
 - 11.1.2.1. Establish a stronger MGA brand presence and awareness
 - 11.1.2.2. Create new opportunities and enhancing values for MGA AffiliatedClubs
 - 11.1.2.3. Grow the new and next generation of golfers
 - 11.1.2.4. Attract non-golfers in golfing and non-golfing activities
- 11.1.3. Objectives:
 - 11.1.3.1. Provide new revenue sources for AffiliatedClubs based on each member's capacity and capability
 - 11.1.3.2. Provide high visibility, creative and innovative digital communications and engagements for all Affiliated Clubs
 - 11.1.3.3. Create and activate sustainable programmes to achieve missions and objectives
- 11.1.4. Strategy:
 - 11.1.4.1. Combine and consolidate all AffiliatedClubs' Assets and their memberships to become a common unit to perform and fulfil the AMSC's programmes
 - 11.1.4.2. Remunerate AffiliatedClubs through a fair sharing scheme for their participation and contribution
 - 11.1.4.3. Provide high value low cost ICT infrastructure to assist AffiliatedClubs to enhance operational and financial management
- 11.2. The functions and authorities of the Associate Member Sub-Committee shall be:
 - 11.2.1. For Affiliated Clubs:
 - 11.2.1.1. Combine and consolidate all of the Affiliated Clubs' resources, assets and their memberships to become a common single unit to perform and fulfil the AMSC's programmes and its corporate sponsors' proposals
 - 11.2.1.2. Remunerate Affiliated Clubs through a fair sharing scheme for their participation and contribution based on each Affiliated Clubs capacity and capability and subject always to the approval of the EXCO

11.2.1.3. Assist Affiliated Clubs to enhance and modernise operational and financial management by providingbut not limited to the provision of high value low cost ICT infrastructure

11.2.1.4. Create and activate sustainable programmes to provide new revenue sources for Affiliated Clubs and subject always to the approval of the EXCO

11.2.1.5. To establish additional terms and conditions as maybe required for the operations and management of each of the programmes and subject always to the approval of the EXCO

11.2.2. For Associate Members:

11.2.2.1. Organize a club or clubs for Associate Members to comply with the USGA Handicap System

11.2.2.2. Organize golf handicaps for Associate Members and to supervise their handicaps

11.2.2.3. Organize from time to time competitions for Associate Members and to provide Other benefits to them

11.2.1.4 Monitor and control income and expenditure to ensure comp-liance within the budget as approved by the EXCO

11.2.1.5 Make regular reports to the Executive Committee and to keep the EXCO fully informed

11.2.1.6 Perform such other functions as may be delegated to it by the EXCO.

11.2.1.7 To establish additional terms and conditions as maybe required for the operations and management of the Associate Members and subject always to the approval of the Committee

11.3 Associate Membership

11.3.1 Membership: Any individual persons fulfilling the following criteria is eligible to applybe an AssociateMember:

11.3.1.1 Shall be limited to individual persons resident in Malaysia.

11.3.1.2 Must not be a undischarged bankrupt and must not be barred or blacklisted by MGA or any of its Affiliates

11.3.1.3 Voluntarily accept and capable of abiding and discharging obligations in accordance to MGA's by-

laws and its directives, Affiliate Clubs' bye-laws and its directives and any other terms and conditions that may be issued

11.3.1.4 Application for Membership must be made in the approved forms accompanied by the required supporting documents and payments.

11.3.1.5 Members of Affiliated Clubs are automatically given an Associate Membership and are exempted from any Associate Membership Fees and Subscriptions for as long as they remain a member of the Affiliate Clubs but are subject to programmes and activities fees and charges.

11.3.1.6 Members who are no longer members of the Affiliated Clubs will need to re-apply for Associate Membership.

11.3.1.7 Membership numbers for members of Affiliated Clubs will follow the current National Handicapping System (NHS) number with an additional prefix "80" or "90" while the rest will carry a prefix "10" to "70" with a pre-approved NHS number.

11.3.1.8 Where applicable, Associate Members must renew their membership at least 1 month before expiry. Failure in observing this will result in suspension or termination.

11.4 Associate Membership Benefits and Privileges

11.4.1 Affiliated Clubs

11.4.1.1 Improve revenue from increased golfing and non-golfing activities; monetising of club assets via corporate functions, sponsorships and campaigns

11.4.1.2 Enhance ICT systems for clubs through a free basic systems, monthly rental for other optional ICT features, Tournament System, outsourced Web hosting/portal, mobile apps for bookings and payments.

11.4.1.3 Shall share from a centralised development fund scheme

11.4.1.4 Centralised promotions, activities and purchasing.

11.4.2 Associate Member

11.4.2.1 All Associate Members can participate in all programmes organised by the AMSC or any of the participating Affiliate Clubs programmes. Members can

also enjoy AMSC approved corporate partners and corporate sponsors programmes

11.4.2.2 Such programmes' details, terms and conditions and bookings are posted on the Associate Member web portal.

11.4.2.3 Members will be provided with access to web portals, mobile apps and emails communications to ensure the membership services are readily available including golfing history and handicap records.

11.5 Golf Handicap

11.5.1 Members of Affiliated Clubs shall continue to use his NHS golf handicap.

11.5.2 Other Associate Member who are not members of Affiliated Clubs shall attend NHS classes at participating Affiliated Clubs or with approved Golf Professionals.

11.5.3 Golf handicap will be awarded to Associate Members in accordance to the USGA Handicap System and MGA NHS bye laws and rules.

11.5.4 Associate Members must submit scorecards after each game. Failure to observe this will result in suspension or termination

11.6 Duties and Responsibilities

11.6.1 Affiliated Clubs

11.6.1.1 Participate fully and extend its fullest cooperation to ensure that the AMSC programmes with its corporate partners and sponsors are successful.

11.6.1.2 Ensure that the communications from AMSC is disseminated properly and in a timely manner to all relevant personnel and parties.

11.6.1.3 Treat all Associate Members in the manner prescribed by the Affiliated Clubs Standard Operating Procedure and Process for its own members and guests.

11.6.1.4 Monitor and report any incidents caused by any Associate Member promptly.

11.6.1.5 For the purpose of promoting the sports of golf, Affiliate Clubs are encouraged to make available a minimum of 2 flights per week. Affiliate Clubs are to upload/update these availability in the booking system.

11.6.2 Associate Member

11.6.2.1 Familiarise and always abide by the Affiliated Clubs' Bye Laws, Etiquette, Rules and directives. Do not assume that they are the same as they differ from club to club.

11.6.2.2 Familiarise and abide by MGA's Bye Laws, Rules, terms and conditions and the procedures and process.

11.6.2.3 Constantly be abreast of all communications from AMSC

11.6.2.4 Report immediately any incidents.

11.6.2.5 Accept and abide by MGA's decisions in all matters

11.7 Suspension and Termination: Associate Members infringement or breach will result in the following:

11.7.1 An Associate Member that is put in suspension shall have his benefits and privileges withdrawn. Confirmed participation and bookings will also be suspended until the suspension is cleared.

11.7.2 An Associate Member who has been terminated will not be refunded for fees, subscriptions, any paid participations, bookings and any other prepaid programmes except for certain online purchases for which the corporate partner has specifically allowed for refund or cancellation.

11.7.3 All Associate Members must abide by the Affiliated Clubs' Rules and Etiquettes. Members in breach will be put immediately under suspension for 3 months during which time AMSC and the affected Affiliated Club will examine all evidences and statements. The affected Affiliated Clubs' Bye Laws and Etiquette shall take precedence in prescribing the subsequent actions. If it results in termination, re-application will only be allowed after 3 years from date of termination.

11.7.4 Associate Members who are found to have failed to disclose the correct information in accordance to Bye Laws 11.3.1.1, 11.3.1.2 and 11.3.1.3 will result in immediate termination with no refunds. The individuals will be barred from re-applying for 3 years from the date of termination.

11.7.5 Associate Members in breach of Bye Laws 11.3.1.8 will result in suspension for 3 months after which the membership is terminated if the renewal is not remedied. Re-applying is only allowed after 1 year from date of

expiry and will be subject to additional penalty fees of 50% more than the current published fees

11.7.6 Associate Members in breach of Bye Law 11.5.4 will result in immediate suspension for 3 months. In any 1 calendar year, an Associate Member who has breach this for 4 times or more shall be terminated immediately and barred from re-applying for 1 year from the date of termination.

SLOPE RATING SUB-COMMITTEE

Article 12. The Slope Rating Sub-Committee shall consist of a Chairman and such person as he shall appoint subject to the approval of the Executive Committee. Members of the Slope Rating Sub-Committee shall serve for one year up to next Annual General Meeting but may be Re-appointed.

The functions and authorities of the Slope Rating Sub-Committee shall be;

- (a) to rate the golf courses of the Affiliated Clubs in accordance with the USGA Handicap System;
- (b) to establish limits of expenditure for its slope rater and charges to the Affiliated Clubs subject to the approved by the Executive Committee.
- (c) to monitor and control its income and expenditure within the budget approved by the Executive Committee from time to time its activities; and
- (d) to report to Executive Committee from time to time its activities; and
- (e) to perform such other functions as may be delegated to it by the Executive Committee.

AUDIT SUB-COMMITTEE

Article 13. The Audit Sub-Committee shall consist of a Chairman and such persons as he shall appoint subject to the approval of the Main Committee. Members of the Audit Sub-Committee shall not be a member in the EXCO or any other sub-committees. The Audits Sub-Committee shall report directly to the Main Committee. Members of the Audit Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re- appointed.

The functions and authorities of the Audit Sub-Committee shall be:

- (a) To monitor and ensure the efficiency and effectiveness of the overall operations of the overall operations of the Association with regards to the Management and Sub-Committee;
- (b) To check on the adequacy of and if necessary implement internal control system and proper procedures/system for key processes;
- (c) To ensure that all functions and activities of the Associations comply with established policies and guideline procedures;

- (d) To review with the External Auditors their Audit Scope and Engagement Memorandum prior to the commencement of their audit;
- (e) To review with the External Auditors their management letter together with management response;
- (f) To safeguard the assets of the associations;
- (g) To review the adequacy of disclosures in the Association's financial reports;
- (h) To review all exceptional costs and cost overruns;
- (i) To investigate any activity within the scope of the Executive Committee's and the Sub-Committees; duties and their term of reference;
- (j) To report and recommend to Main Committee on any corrective actions to be taken.

DISCIPLINARY SUB-COMMITTEE

Article 14. The Disciplinary Sub-Committee ("DSC") shall consist of a Chairman and two other persons who shall be appointed by the Committee or the Executive Committee of MGA. Members of the Disciplinary Sub-Committee shall serve for one year up to the next Annual General Meeting but may be re-appointed.

The functions and authorities of the DSC shall be:-

- (a) to investigate and deliberate on all disciplinary matters of the Association
- (b) to investigate and deliberate on complaints made by the General Manager of the Association on the conduct of a member {Article 5 of the Constitution & Bye-Laws ("**the Rules**")} of MGA or a member of the Committee of MGA (Article 10 of the Rules) that is unbecoming of a member of MGA or is injurious to the interest of MGA or renders such a member unfit to associate with members of MGA or if the member is in breach of the provisions of the Rules made thereunder, the member shall be disciplined in accordance with these Rules;
- (c) Any complaint concerning the conduct of a member shall be in writing and addressed to the General Manager of MGA;
- (d) Upon receipt of any complaint against a member, the General Manager of MGA shall at the earliest given opportunity forward the complaint to the DSC, which shall consider and take further action deemed fit on the complaint;
- (e) The DSC in considering a complaint may, if it considers that:-
 - (f) no cause exists which justifies any disciplinary action; and or
 - (g) the complaint is of a minor nature;
 - i. summarily deal with the complaint and in doing so may either counsel the member concerned as to its / his future conduct

censure and /or impose a fine in a sum not exceeding RM1000.00 upon such a member. Any punishment imposed and /or Order made pursuant to the Rule is final and may not be reviewed or be the subject of any appeal to the Executive Committee and or to the Committee of MGA;

- (h) The DSC may suspend a member pending investigation of a complaint made against it or him if in the opinion the complaint made is of a serious nature;
- (i) A suspension of membership pending inquiry shall expire 30 days after it is imposed unless expressly extended in writing by the DSC. Any extension pending inquiry shall not be for more than a further 30days. Thereafter, any suspension pending inquiry shall automatically lapse and the rights and privileges of such a member shall forthwith be restored notwithstanding the complaint against the member has not been heard and/or disposed and/or decided upon by the DSC;
- (j) The DSC shall have the right to hear, inquire into and/or consider and make such findings and impose such punishment and/or make such order as it deems fit. This is notwithstanding that a complaint has been withdrawn by a complainant;
- (k) The member against whom a complaint has been made shall be given full opportunity to put the case forward and/or defend itself or himself at any inquiry and/or investigation conducted by the DSC. The member shall not be entitled to legal representation at the inquiry, investigation and/or hearing pertaining to the complaint;
- (l) Upon completing its inquiries and investigations, the DSC shall record its findings and make such order as it deems fit, which may include a combination of or individually any of the following:-
 - (i) that no cause for disciplinary action exists;
 - (ii) censure;
 - (iii) imposition of a fine not exceeding RM1 500.00;
 - (iv) suspension of a period not exceeding three (3) years;
 - (v) expulsion;
- (m) Any member aggrieved by the decision of the DSC to suspend pending investigation or any punishment or order made by the DSC, shall have the right to appeal against any such decision to the Executive Committee or the Committee, in the case of an expulsion order, within 14 days of being informed of the decision in writing by the General Manager of MGA. The Executive Committee may confirm or vary or substitute the decision of the DSC with such order or decision as it deems fit.

CODE OF ETHICS FOR THE COMMITTEE MEMBERS

Article 15. In the interest of preserving the prestige and dignity of the Committee, and with the objective of fostering a sense of purpose and unity amongst all Members of the Committee ("the Members"), so that they may discharge and be seen to discharge their duties and functions in the most transparent and honest manner and in keeping with good corporate governance, the Committee will abide by the following Code of Ethics:

- (a) That the Members will not engage in any activity that could give rise to a possible conflict of interest without first notifying the Committee in writing of such, and to abstain from participating in any discussion or vote on it.
- (b) That the Members will not use the name of the Association or my position in the Association for my business or personal gain. Whenever a conflict of interest situation arises, I shall immediately declare my interest and not be involved in any deliberations or decisions in respect thereof.
- (c) That the Members will strictly observe the rule of confidentiality with regard to all matters discussed in the Committee or with regard to my work as a Member of the Committee.
- (d) That the Members shall endeavour to make decisions by consensus, and where this is not possible, I agree it shall be decided by a vote.
- (e) That the Members agree to abide by and be bound by all decisions made by the Committee whether or not I personally agree with them or have voted against them, or have objected to them.
- (f) That the Members shall support at all times the Committee's actions and decisions and thereby demonstrate unity and solidarity of purpose.
- (g) That the Members shall at all times do my best to carry out the collective duties and responsibilities of the Committee in the best interest of the Association and so fulfill the expectations of its members and the public.
- (h) That in pursuit of better corporate governance and transparency, the Members will not solicit for or receive gifts whether in cash or in kind from suppliers or potential suppliers of goods and services to the Association unless such gifts are generally accepted as tokens of goodwill (such as calendars and diaries) with no significant commercial values.
- (i) That Members shall at all times up-hold the honor and dignity of the office and refrain from using vulgar and offensive languages against other Members and employees of the Association including posting on various social media platforms.

- (j) That in the event the Members absent themselves from three (3) consecutive Committee meetings without prior written permission he/she may be asked to resign his/her position in the Committee.
- (k) That with the exception of the President, the Members agree that no statements shall be made to the press or media by any of the Members on matters relating to the Association or affecting the Association unless approved by the President beforehand.
- (l) That if the Members fail to abide by this Code of Ethics, disciplinary action may be taken against the said Members.
- (m) That the above Code of Ethics is applicable to all appointed subcommittee members of the Association.



Malaysian Golf Association

No. 14, Jalan 4/76C,
Desa Pandan, 55100, Kuala Lumpur,
Wilayah Persekutuan.

T : +603-9283 7300

F : +603-9282 9300

E : info@mgaonline.com.my

www.mgaonline.com.my

www.gogolf.my