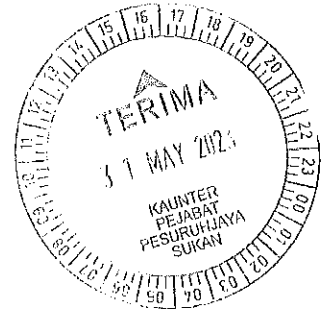




MOTORSPORTS ASSOCIATION OF MALAYSIA (CONSTITUTION)

2023

"Working Group"	means a group of people with expertise in a particular area formed to undertake a specific and time-limited task;
"Working Committee"	as described in Article 19.2 of this Constitution.

PART 2 – PRELIMINARY

1. Name

The name of the incorporated association ("the Association") is the Motorsports Association of Malaysia ("MAM") registered under the Sports Development (Amendment) Act 2018 recognised by Malaysian law.

MAM is the sole governing body for all 4-wheels and 2-wheels motorsports activities in Malaysia and is recognised by the Ministry of Youth and Sports under registration number K-SGR-04537.

2. Authority

- 2.1 MAM is a national governing body for motorsports in Malaysia recognised by the FIA and FIM to act as the National Sporting Authority ("ASN") and National Motorcycle Federation ("FMN");
- 2.2 MAM is authorised to formulate, issue, interpret and amend from time to time all rules regulations and pertaining to motorsports in Malaysia;
- 2.3 MAM is authorised to sanction all motorsports events held in Malaysia and are able to issue licenses and permits in accordance with the rules and regulations;
- 2.4 MAM may organise motorsport activities, engage and pursue commercial opportunities, including sponsorship, marketing and other businesses arrangements which brings beneficial interest towards motorsports;
- 2.5 Arbitrate disputes between members of the Association; and
- 2.6 MAM, through the authority vested by the FIA and FIM, is allowed to develop the National Competition Rules ("NCR") to regulate motorsports in Malaysia.

3. Objectives of MAM

MAM's objectives are as follows -

- 3.1 To sanction and ensure that motorsports activities (two-wheels and four-wheels) in Malaysia is carried out safely for participants, officials, spectators and the public.
- 3.2 To promote competitive yet fair motorsports competition.

- 3.3 To promote mobility, affordably and safely for all road users regardless of their means of travel.
- 3.4 To develop and improve the safety in motorsport and at the same time to promote the sports fairly and equitably.
- 3.5 To develop, regulate, control and enforce discipline across both physical and virtual types of motorsports.
- 3.6 To promote sustainable development of motorsports.
- 3.7 To promote the development of facilities and services and promote and protect motorsport according to the national and the FIA/FIM standards.
- 3.8 To defend the interest of the members of the FIM and FIA by encouraging collaboration and friendship between them and organisations involved in Motorsports.
- 3.9 To promote the participation of women and youth in motorsports activities.
- 3.10 To ensure that its members and license holders abide and observe the Constitution and rules set out by MAM.
- 3.11 To ensure that its activities are conducted without discrimination as to sex, race, religion, social origin, language, political inclination or any other opinion held by its members.

4. Language

- 4.1 The official language of the Association shall be English. Malay language may be used as the official spoken language for club and at national level events. For any avoidance of doubt, the Malay language may be used to prepare and execute sporting regulations and other documents required for racing events.
- 4.2 English shall be the official written language of the Association.

5. Effect of Constitution

This Constitution binds every Member of the Association to the same extent as if every member of the Association had signed and sealed this Constitution and agreed to be bound by it.

6. Inconsistency between Constitution and Act

If there is any inconsistency between this Constitution and the Act, the Act prevails.

7. Altering the Constitution

- 7.1 The Association may alter this Constitution at a Special General Meeting or at the Annual General Meeting but not otherwise.
- 7.2 The Association may put in place policy(ies) and regulations to ensure better governance of the sports.

8. Financial Resources

The financial resources of the Association are primarily –

- 8.1 Income derived from fees collected from sanctioned events, racing licenses, membership fees, subscription fees or any other rights fees;
- 8.2 Income derived from the investment of its funds and capital;
- 8.3 Income derived by company(ies) related or not related to the Association.
- 8.4 Grants, subsidies or tax reliefs awarded by a governmental or non-governmental institution;
- 8.5 Sponsorship or any other fees charged by MAM in its effort to promote motorsports; and
- 8.6 Any other methods or avenues allowed under the law.

PART 3 – MEMBERS

Division 1 – Membership

9. Application for membership

- 9.1 Membership can be applied in either one of the following categories, and for any avoidance of doubt, Affiliate Members and Associate Members shall be collectively referred to as "Members" –

Affiliated Member:

Affiliated membership is open to Clubs (registered with the Sports Commission of Malaysia) or any organisation that the Executive Committee deem fit and relevant.

Associated Member:

Associated membership is open to all other organisation which does not qualify as an Affiliated Member.

- 9.2 Procedure for application –

- 9.2.1 All applicants must submit a written application for membership to the Secretary-General of the Association and furnish the relevant information as required by the Association.

9. 2.1.1 Upon successful application, a member may enjoy the benefit(s) granted by the Association.

9. 2.1.2 Any new application for membership shall undergo a probation period of one (1) year, upon which, the Executive Committee has the absolute discretion to either approve the membership to full affiliated status or to extend the probation period, with reasons.

9. 2.1.3 Individual members not amounting to more than seven (7) individuals are allowed to be a Member of the Association with the recommendation of the President.

9. 2.1.4 The rights of a member of the Association –

(a) is not capable of being transferred or transmitted to another Member or affiliate; and

(b) terminates on the cessation of membership by resignation or in accordance with the Constitution.

9.2.2 A Voting Member who has been awarded full affiliate status is required to conduct a minimum of three (3) motorsports activities per calendar year, failing which its status as a full affiliated member may be reviewed by the Executive Committee.

For all intent and purposes, motorsports activities shall mean activities in the nature of promoting motorsports, such as exhibitions, classes, training and racing.

10. Joining fee

10.1 If a membership application is approved, the applicant becomes a member upon making full payment the joining fee.

10.2 The joining fee is either –

(a) a pro-rata annual fee based on the remaining part of the financial year; or

(b) the amount determined from time to time by the Executive Committee in accordance with the NCR.

10.3 The membership fees shall be payable by 31st January of each year or any other date agreed by the Executive Committee.

10.4 Any members who have not paid MAM for any amount due seven (7) days after date due shall be automatically suspended, save in exceptional circumstances.

11. Members of Honour

11.1 The Executive Committee may, during the Annual General Meeting, award the title of member of honour upon an individual within or outside the Association in

recognition for important services rendered to the Association or motorsports in general.

11.2 Members of Honour shall be limited to a maximum of seven (7) individuals only, at all times.

11.3 Members of honour may attend the Annual General Meeting, with the right to one (1) vote.

Division 2 – Rights of Members

12. General

12.1 A member may exercise the rights of membership in accordance with their relevant class of membership.

12.2 A right of membership of the Association –

- (a) is not capable of being transferred or transmitted to another affiliate; and
- (b) terminates on the cessation of membership by resignation or otherwise.

13. Voting

13.1 Affiliated members who have obtained full affiliated status are allowed to vote at the Annual General Meetings and Special General Meeting of the Association. A member is not eligible to vote until the Association has officially accepted it as a full Affiliated Member.

13.2 Each Affiliated member (with full affiliated status) is allowed to have and cast only one (1) vote.

13.3 Voting by proxy is not allowed.

13.4 Associated members are not allowed to vote at general meetings and/or special general meetings of the Association.

14. Suspension and Fine

A member can be suspended or fined should a member act in an unsporting manner or breach any rules and regulations, policies, or failure to honour any commitment towards the Association. A suspension could result in the expulsion of members or a loss of membership.

15. Loss of Membership

15.1 A member shall automatically lose its membership upon its resignation; or

15.2 A member will lose its membership in the event of expulsion due to the failure to comply with any of the rules and regulations as set out in the Constitution, NCR, by-laws or regulation of the Association; or

15.3 Acted in a manner that contradicts with the objectives of the Association, FIA or FIM.

16. Expulsion

16.1 In the event of expulsion, a hearing shall first be conducted before any decision is made. A member shall be given a fair hearing by the disciplinary committee, set up by the Association shall consist of at least one (1) member of the disciplinary commission.

16.2 At the hearing, the disciplinary committee may make the followings –

16.2.1 Enquire as to the documents concerning the subject matter; and/or

16.2.2 Call upon witnesses in relation to the subject matter.

16.3 The disciplinary committee shall act in good faith throughout the hearing and the disciplinary committee's decision shall be final.

16.4 Effect of loss of membership and Expulsion

16.4.1 Loss of membership does not release any members from any obligations and debt due towards the Association.

16.4.2 Any penalty incurred or loss of income incurred by the Association due to Article 16 shall be borne by the expelled / outgoing member.

PART 4 – STRUCTURE OF THE ASSOCIATION

Executive Committee Members and Working Committee

17. Structure of the Association –

17.1 The structure of the MAM shall be the following:

- 17.1.1 President;
- 17.1.2 Executive Committee;
- 17.1.3 Working Committee;
- 17.1.4 Motorsports Commission;
- 17.1.5 Mobility Commission;
- 17.1.6 Safety Commissions;
- 17.1.7 Medical Commission; and
- 17.1.8 Disciplinary Commission.

17.2 The Association may add or remove any of the Commissions above in the best interest of the sport.

18. Role and Power

- 18.1 The Association shall be managed by or under the direction of the Executive Committee.
- 18.2 The Executive Committee may exercise all the powers of the Association except those required the Association to determine through an Annual General Meeting of members.
- 18.3 The Executive Committee may establish or set up a Commission(s), or Working Committee consisting of the members within or outside the Association that the Executive Committee deems appropriate.
- 18.4 The Executive Committee may impose any policies which are beneficial towards the interest of the Association.

19. Composition of the Committee Members

The Committee shall consist of the following –

19.1 Executive Committee:

- 19.1.1 President;
- 19.1.2 Deputy President;
- 19.1.3 Secretary-General;
- 19.1.4 Treasurer; and
- 19.1.5 Five (5) other members which the President deems their presence will benefit the Association.

19.2 Working Committee:

The Working Committee shall consist of individuals appointed by the President to manage the day-to-day operations of the Association.

20. Delegation

The Executive Committee may delegate its powers and functions to any Commission or Working Committee. The delegation must be made in writing and may be subject to the conditions and limitations the Executive Committee deems appropriate.

Division 2 – Tenure of office

21. Eligibility to be appointed as an Executive Committee member

- 21.1 An Executive Committee member must be a member who is eighteen (18) years or over.
- 21.2 Executive Committee members shall be voted by Affiliated Members who have obtained full Affiliated status at the Annual General Meeting.

- 21.3 An Executive Committee member must, at a minimum, have significantly demonstrated their experience as a motorsports administrator.
- 21.4 An Executive Committee member shall serve for a term of four (4) years and shall be eligible for re-election, with a possible extension of another term. An Executive Committee member shall not be eligible for re-election in an capacity after holding office for two (2) consecutive terms. The term shall commence right after the announcement of the result and ends during the next election term.
- 21.5 Article 21(4) may only be amended at the Annual General Meeting with the approval of 3/4 votes from the Members.

22. Nominations for election to Executive Committee

- 22.1 A Member is not eligible for election unless the Secretary-General receives a written nomination for that Member by another Member not less than thirty (30) days before the next annual general meeting date.
- 22.2 Each Affiliate Member can only nominate one (1) representative from its club for candidacy for either President, Deputy-President, Secretary-General or Treasurer.
- 22.3 A stand-in chairperson shall receive the written nomination for President, Deputy-President, Secretary-General and Treasurer in the event of an election.
- 22.4 The nomination must be signed by –
 - 22.4.1 the nominator, and a seconder; and
 - 22.4.2 the nominee to signify the member's willingness to stand for election.
- 22.5 To be nominated for election, a member has –
 - 22.5.1 to be an executive committee of an Affiliated Member of the Association or an existing Executive Committee member of the Association; and
 - 22.5.2 to have significant experience in motorsports; and
 - 22.5.3 to prove to have the ability to contest for the post involved; and
 - 22.5.4 to have the ability or capacity or proven track record to be able to conduct and resume responsibility of the particular role nominated; and
 - 22.5.5 to be of a good and respectable character.
- 22.6 All individuals nominated and stand for election or re-election shall be required to make a presentation of themselves in either English or Bahasa Malaysia on their plans for the Association.

23. Election by ballot

- 23.1 If the number of nominations exceeds the number of vacancies on the Executive Committee, ballots for those positions must be conducted.
- 23.2 The ballot must be conducted in a manner determined from time to time by the Associations relevant policy.
- 23.3 The members chosen by ballot must be declared by the President to be duly elected as members of the Executive Committee.

23A. Election by default

- 23A.1 If the number of persons nominated for election to the Executive Committee under Article 22 does not exceed the number of vacancies to be filled, the Chairman must declare the persons to be duly elected as members of the Executive Committee at the Annual General Meeting.
- 23A.2 If vacancies still remain in the Executive Committee after the declaration pursuant to Article 23A.1 above, additional nominations may be sought by the Executive Committee from a suitable person or persons in writing and nominated for election at the next general meeting.

24. Vacating office

The office of an Executive Committee member becomes vacant if –

24.1 the member –

- 24.1.1 is disqualified from being an Executive Committee member under the law or found in breach of the Constitution, NCR or rules set forth by the Association;
- 24.1.2 resigns by giving a written notice to the Executive Committee.
- 24.1.3 dies or is rendered permanently incapable of performing the duties of office by mental or physical ill-health; or
- 24.1.4 ceases to be a Member of the Association;

24.2 the member is absent for more than –

- 24.2.1 Two (2) consecutive Executive Committee meetings (at the Annual or Special General Meeting); or
- 24.2.2 Two (2) Committee meetings in the same financial year without reason to the President.

25. Removal of Executive and Working Committee member

- 25.1 An Executive Committee member or Working Committee may only be removed from office in the event they fail to perform the role given under the portfolio or in breach of any article, rules, regulation, notices and by-law of the Association.
- 25.2 Any removal from office shall be done in accordance with Constitution, the rules and regulation of the Association or the NCR.
- 25.3 If a vacancy of Executive Committee arises through removal pursuant to Article 25.1 above, an election must be held to fill the vacancy.

26. Filling a temporary vacancy in Executive Committee or Working Committee

If a vacancy exists in the Executive Committee or Working Committee position at any time or after the application of Article 24 or if the office becomes vacant under Article 25, the Executive Committee shall have the discretion to appoint any member from the Association or any person with appropriate skills as determined by the Executive Committee to fill that vacancy until the next Annual General Meeting.

Division 3 – Duties of Committee Members

27. Collective responsibility of Executive Committee Members

- 27.1 As soon as practicable after being elected to the Executive Committee, each Executive Committee member must become familiar with the Constitution and its responsibilities.
- 27.2 To govern the Association, including the preparation and monitoring of the Association Financial Statement.
- 27.3 To negotiate all other rights of the Association or its company which includes television rights, media sponsorship, marketing rights and others.
- 27.4 To appoint, authorise the appointment of committees portfolio's, commissions, working committee, and others that benefit motorsports.
- 27.5 To represent the Association in all legal proceedings.
- 27.6 To develop and implement the annual budget.

28. The Executive Committee is collectively responsible for ensuring the viability and financial situation of the Association

- 28.1 The Executive Committee is collectively responsible for ensuring the Association complies with the law and regulations made under the law.

28.2 The Executive Committee is collectively responsible for ensuring that position descriptions for each position on the Executive Committee of management are documented and understood.

28.3 Each Executive Committee member shall declare if they are holding another office position in contradiction with the objective of this Association.

29. President

29.1 The President must preside at all general meetings and Committee meetings. In his absence, the Deputy President shall preside the meeting.

29.2 If the President and the Deputy President are both absent, the presiding member for that meeting shall be the Secretary-General.

29.3 Give direction and manage the activities of the Association to ensure that the Association meets its objectives and obligations.

29.4 To ensure that the decision made during the Annual General Meeting or Special General Meeting are implemented and that the Statutes and By-Law are respected.

29.5 Facilitate communication between the government, the stakeholders of the Association and its members.

29.6 Highest authority to represent the Association and be the ex-officio members of all Commission and Working Group where his attendance at these meetings is not expected and shall be at the discretion of the President.

29.7 Shall be the signatory of all documents of the Association, in his absence the duty shall be that of the Deputy President or the Secretary-General.

30. Deputy President

The Deputy President shall replace and assume the role of the President in his absence or if he resigns from his position, during which the Deputy President shall have the powers conferred by the President within the ambit of this Constitution.

31. Secretary-General

The Secretary-General shall –

31.1 Coordinate the correspondence of the Association;

31.2 Manage the day-to-day operations of the Association;

31.3 Ensure minutes of all proceedings of general meetings and of Executive Committee meetings are kept;

- 31.4 Be in charge for appointment of officials and others which he deems necessary for motorsports purposes;
- 31.5 Plan and engage companies, institutions, associations and corporations in order to boost motor sporting activities in Malaysia; and
- 31.6 Perform any other duties imposed by this Constitution or the Associations Policies.

32. Treasurer

The Treasurer shall –

- 32.1 receive all monies paid and to issue receipts for those monies;
- 32.2 make any payment authorised by the Executive Committee or Working Committee from the Association's funds;
- 32.3 ensure cheque(s) are signed by him or her and at least one other Committee member, or by any two (2) other Committee member authorised by the Committee;
- 32.4 ensure the accounting records of the Association are kept in accordance with the relevant law; and
- 32.5 coordinate the preparation of the Association's annual statement of accounts.

33. Appointments

Subject to the approval of majority of Executive Committee, the Executive Committee may appoint a person for a specific role for a given duration. Any person appointed pursuant to this Article will automatically be an Associated Member and shall remain so until the his/her resignation, expiry or termination of the said appointment, whichever is earlier. Such appointment does not carry any voting rights.

PART 5 – MEETINGS OF EXECUTIVE COMMITTEE MEMBERS

34. Frequency and Calling of meetings

- 34.1 Executive Committee members shall meet together in person in accordance with the quorum required under this Constitution for the conduct of business not less than two (2) times each financial year.
- 34.3 The President, or at least half of the Committee Members, may call for a meeting at any time.

35. Voting and decision making

- 35.1 Each Executive Committee member present at the meeting has one (1) vote.

- 35.2 Any issues arising at a Committee meeting shall be deliberated and thereafter decided by a simple majority.

36. Quorum

Three (3) Committee members constitute a quorum for a meeting to be held. The presence of the President and Secretary-General is compulsory to constitute a quorum.

37. Procedure and order of business

- 37.1 The procedure to be followed at an Executive Committee meeting may be determined from time to time by the Executive Committee.
- 37.2 The order of business may be determined by the members present at the meeting. Only the business for which the meeting is convened may be considered at a special meeting.

38. Disclosure of interest

- 38.1 A Committee Member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Association must disclose the nature and extent of the interest to the Committee.
- 38.2 The Secretary-General must record the disclosure in the minutes of the meeting.
- 38.3 The President or chairman of the meeting must ensure that the vote of a member of the Association who has a direct or indirect pecuniary interest in a contract, or proposed contract is NOT counted for.

PART 6 – GENERAL MEETINGS

39. General Meeting

39.1 Annual General Meeting

- 39.1.1 The Annual General Meeting ("AGM") is the supreme authority of the Association. It may approve, reject, alter or postpone any proposal submitted after taking into account the interest of its members and general policy. Deliberations and discussions take place in accordance with the procedures laid down in this Constitution and by-law (if any).
- 39.1.2 The AGM shall take place each year before 30th June of the calendar year. In the event the AGM takes place at a later date, the Association shall notify Sports Commission accordingly.
- 39.1.3 Any decision of the AGM shall be made with immediate effect.

39.1.4 All matters may be discussed in the AGM.

39.1.5 The AGM may be conducted online.

39.2 Participation in Annual General Meeting

39.2.1 Only a full Affiliated Member who is not under probation and Honorary Members can participate in AGM.

39.2.2 Each member can only nominate one (1) representative.

39.2.3 Each representative shall only carry one (1) vote.

39.2.4 An Affiliated Member can only vote if all debts or fees due is fully paid before the date.

39.2.5 Voting by proxy is not allowed.

39.3 Notice of Meeting

39.3.1 A notice to attend the AGM shall be sent at least thirty (30) days before the date of the AGM unless otherwise agreed upon by the members.

39.3.2 In the event members cannot decide on the date of the AGM, the President may differ another meeting to set the date of the AGM, failing which the Executive Committee shall decide on the date of the AGM.

39.3.3 Notice to attend may be sent via email or post. A notice is considered received in the event of notification of email sent.

39.3.4 Notice of AGM may also be published on the association website.

39.4 Agenda

39.4.1 The Agenda of the AGM shall be clearly mentioned.

39.4.2 Any proposal which the Affiliated Members require to be discussed at an AGM must reach the Secretary-General in writing and indication for a reason doing so at least twenty-one (21) days before the date of the AGM. Any proposal received not in accordance with the date shall be decided solely by the President.

39.4.3 The detailed Agenda and all relevant documentation must be sent to all Members within fourteen (14) days via email or post together with the second notice of meeting.

- 39.4.4 For all intents and purposes, any items not on the agenda shall not be discussed in the AGM except with the approval of the Executive Committee of the Association.

39.5 Special General Meetings

The Executive Committee –

- 39.5.1 may at any time convene a special general meeting among its members if necessary;
- 39.5.2 Special General Meeting may be conducted online.
- 39.5.3 Half of the Affiliated Members constitute a quorum for a Special General Meeting.
- 39.5.4 The request must –
 - 39.5.4.1 state the purpose of the special general meeting; and
 - 39.5.4.2 be signed by the members making the request.
- 39.5.5 If a special general meeting is convened, the Association must meet any reasonable expenses of convening and holding the Special General Meeting.
- 39.5.6 The Secretary-General must give to all Members not less than fourteen (14) days' notice of the Special General Meeting.
- 39.5.7 The notice must specify –
 - 39.5.7.1 When and where the meeting is to be held; and
 - 39.5.7.2 The particulars and purpose of the meeting and the order in which business is to be transacted.

40. Notice of meetings

- 40.1 The Secretary-General must give a notice under this Part by –
 - 40.1.1 serving it on a member personally; or
 - 40.1.2 sending it by email or post to a member at the member's address appearing in the register of members.
- 40.2 If a notice is sent by post under Article 40.1.2, sending of the notice is deemed to have been properly affected if the notice is addressed and posted to the member by ordinary mail. If it is via email, upon the acknowledgement of the sent notification of the email.

41. Quorum at the Annual General Meeting and Special Meeting

At the Annual General Meeting and Special Meeting, half of the members must be present to constitute a quorum.

42. Lack of quorum

- 42.1 If within 15 minutes after the time specified in the notice for the holding of a meeting a quorum is not present, the meeting stands adjourned to the same time on the same day in the following week at the same place;
- 42.2 If within 15 minutes after the time appointed pursuant to Article 42.1 above for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person may proceed with the business of that general meeting as if a quorum were present.
- 42.3 The President may, with the consent of a general meeting at which a quorum is present and must, if directed by the members at the meeting, adjourn that general meeting from time to time and from place to place.
- 42.4 There must not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- 42.5 If a general meeting is adjourned for thirty (30) days or more, the Secretary-General must give notice of the adjourned general meeting as if that general meeting were a fresh general meeting.

43. Voting

- 43.1 Subject to Articles 12, 13, 14 and 15, each Affiliated Member present in an Annual General Meeting or Special General Meeting is entitled to a vote.
- 43.2 At an Annual General Meeting or a Special General Meeting, a vote is decided by simple majority.
- 43.3 If demanded, a poll must be taken immediately and in the manner the President or chairman directs.
- 43.4 In the event of a tie, the President shall have the casting vote.

PART 7 – FINANCIAL MANAGEMENT

44. Financial year

The financial year of the Association is the period of twelve (12) months ending 31 December.

45. Funds and accounts

- 45.1 The Association must open an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.
- 45.2 Any amount of expenses exceeding Ringgit Malaysia Fifty Thousand (RM50,000) shall only be approved via the Executive Committee and notification is to be made at the next Annual General Meeting or a Special General Meeting.
- 45.3 All funds of the Association must be deposited into the financial account of the Association no later than five (5) working days after receipt or as soon as practicable after that day.
- 45.4 With the approval of the Executive Committee, the Treasurer may maintain a cash float of a maximum of Ringgit Malaysia Ten Thousand (RM10,000) provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.

46. Accounts and audits

The responsibility of the Executive Committee is to ensure compliance with the rules and regulations made for that Part relating to –

- 46.1 the keeping of accounting records;
- 46.2 the preparation and presentation of the Association's annual statement of accounts; and
- 46.3 the auditing of the Association's accounts and its activities and the use and disbursement of all its funds for its preceding financial year in accordance with item 3 of the Third Schedule of the Sports Development Act 1997.

PART 8 – DISPUTES

47. Grievances procedure and disputes

- 47.1 This Article applies to disputes between –
 - 47.1.1 a Member and another Member; or
 - 47.1.2 a Member and the Executive or Working Committee.
- 47.2 Within fourteen (14) days after the dispute comes to the attention of the parties to the dispute, they must meet and discuss the matter in dispute, and, if possible, resolve in accordance with the guideline of the Act.
- 47.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must hold another meeting within seven (7) days with the presence of a mediator.

- 47.4 The mediator must be –
- 47.4.1 a member chosen by agreement between the parties; or
 - 47.4.2 in the absence of agreement –
 - (a) for a dispute between a Member and another Member, a person appointed by the Committee; or
 - (b) for a dispute between a Member and the Executive or Working Committee – a person who is a mediator appointed by both member and Committee.
- 47.5 The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.
- 47.6 The mediator, in conducting the mediation, must –
- 47.6.1 give the parties to the mediation process every opportunity to be heard;
 - 47.6.2 allow due consideration by all parties of any written statement submitted by any party; and
 - 47.6.3 ensure natural justice is accorded to the parties to the dispute throughout the mediation process.
- 47.7 The mediator must not determine the dispute.
- 47.8 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the laws of Malaysia.

PART 9 – MISCELLANEOUS

48. Common Seal

The common seal of the Association must not be used without the express authority of the Executive Committee and every use of that common seal must be recorded by the Secretary-General.

49. Distribution of surplus assets on winding-up

- 49.1 If on the winding up or dissolution of the Association, and after satisfaction of all its debts and liabilities, there remains any assets, the assets must not be distributed to the members or former members.
- 49.2 The surplus assets must be given or transferred to the Malaysian Department of Insolvency.

50. Sport Commissioner

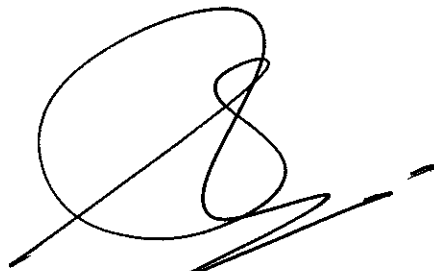
- 50.1 The Association shall be governed by the Act.
- 50.2 The Association will abide by the guidelines and instruction of the Minister and Sports Commissioner.
- 50.3 The Association, through its secretary, will make available all the required information to be submitted to the Sports Commissioner as required on a yearly basis or as and when required.
- 50.4 The Association shall abode by Third Schedule of Sports Development Act 1997 and shall not discriminate as to sex, race, colour, religion, social origin, language, political inclination or any other opinion held by its members.
- 50.5 In the event of dissolution, the Association will notify the Sports Commissioner.

51. Severability

If any provision of this Constitution is deemed to be invalid by the FIA, FIM or the Malaysian government, such provision shall be removed and shall not affect other parts and the legality of this Constitution.



.....
Tan Sri Mokhzani Tun Mahathir
President
Motorsports Association of Malaysia



.....
S. N. Nanthan
Secretary-General
Motorsports Association of Malaysia