

# MFPC ELECTION GUIDE

## (A) MFPC CONSTITUTION

### MFPC CONSTITUTION CLAUSE 9 GENERAL MEETING

- 9-1 The supreme authority of the MFPC is vested in General Meetings consisting of:
- - 9-1-1 ChPOs;
  - 9-1-2 FSO Members;
  - 9-1-3 Ordinary Members; and
  - 9-1-4 Fellow Members.
- 9-2 Any Member who is not part of the General Meeting stipulated in Clause 9-1 above may, with the consent of the chairman of the General Meeting be present during a General Meeting but shall not vote and will not be allowed to speak on any matters discussed, unless permitted to speak by the chairman of that General Meeting.
- 9-3 In order for a Member to exercise any of the rights conferred on it/him under this Constitution, including but not limited to its/his rights to attend and vote at General Meetings and, to appoint ChPOs Representatives or to nominate FSO Representatives or Individual Members' Representatives as the case may be, he must: -
- 9-3-1 not be in arrears of any subscriptions or levies imposed by MFPC under this Constitution;
  - 9-3-2 not be subject to disciplinary proceedings pursuant to the disciplinary policies, bylaws, codes, rules, and/or regulations as may be laid down by MFPC from time to time; and
  - 9-3-3 have a valid membership with MFPC.
- 9-4 The President shall be the chairman at a General Meeting or in his absence, the Deputy President or in his absence, any one (1) of the Vice Presidents as may be appointed by the President or if the said Vice President is also absent, by any Member elected by the General Meeting.
- 9-5 A quorum shall be considered as having been achieved if: -
- 9-5-1 in the case of an Annual General Meeting, fifty per centum (50%) of the Organisational Voting Members are present (the “**AGM Quorum**”);

- 9-5-2 in the case of an Extraordinary General Meeting, fifty per centum (50%) of the Organisational Voting Members and ten per centum (10%) of the Individual Voting Members (the “**EGM Quorum**”).
- 9-6 If within one (1) hour from the time appointed for an Annual General Meeting, an AGM Quorum is not present, the said meeting shall be postponed to a date not exceeding thirty (30) days thereafter and as determined by the National Council.
- 9-7 The Annual General Meeting of the MFPC shall be held as soon as possible after the close of each Financial Year on a date and at a time and place to be decided on by the National Council but in any event, not later than 30<sup>th</sup> June of the year following the close of the relevant Financial Year.
- 9-8 The business of the Annual General Meeting shall, *inter alia*, be: -
- 9-8-1 to review and approve the minutes of the previous Annual General Meeting;
  - 9-8-2 to review the Annual Report for the previous Financial Year;
  - 9-8-3 to receive and approve the Treasurer’s report and the Audited Accounts of MFPC for the previous Financial Year;
  - 9-8-4 to elect members of the National Council, in the years’ when the posts are up for election;
  - 9-8-5 to appoint Auditors for the ensuing term; and
  - 9-8-6 to deal with such other matters as may be put before it.
- 9-9 The Secretary shall dispatch copies of the Notice and the following undermentioned documents to all Members, including the representatives and alternate representatives of Members who are not individuals at least sixty (60) days before the Annual General Meeting: -
- 9-9-1 the preliminary agenda for the Annual General Meeting; and
  - 9-9-2 copies of the Minutes of the previous Annual General Meeting.
- Copies of the abovementioned documents shall also be made available at the registered office of MFPC for the perusal of all Members.
- 9-10 Any Voting Member may submit a motion(s) to be passed at an Annual General Meeting provided that the said Voting Member shall serve a notice in writing not later than thirty (30) days before the date of the Annual General Meeting, containing the following details: -
- 9-10-1 the proposed motion(s) and his intention to submit the same;
  - 9-10-2 his name and membership number; and
  - 9-10-3 the name and membership number of the seconder of the motion(s).

The seconder of the motion shall also be a Voting Member.

- 9-11 The Secretary shall not later than twenty-one (21) days before the date of the Annual General Meeting dispatch copies of the following documents to all Members: -
- 9-11-1 the final agenda for the Annual General Meeting;
  - 9-11-2 the Annual Report;
  - 9-11-3 the audited accounts of MFPC for the previous Financial Year;
  - 9-11-4 all motions proposed by Members.
- 9-12 An Extraordinary General Meeting shall be convened: -
- 9-12-1 whenever the National Council deems it desirable; or
  - 9-12-2 at the joint request in writing of at least one-half (1/2) of the Organisational Voting Members; or
  - 9-12-3 at the joint request in writing of at least one-third (1/3) of the Individual Voting Members.
- The joint request in writing that complies with this Clause shall hereinafter be referred to as the “**Requisition Notice**”.
- 9-13 The Requisition Notice shall state the objects of the Extraordinary General Meeting, shall be signed by all the requisitionists and deposited with the Secretary and may consist of several documents in like form, each signed by one (1) or more requisitionists.
- 9-14 Where the Extraordinary General Meeting is requisitioned in accordance with Clause 9-12 above, the said meeting shall, subject to Clause 9-15 hereof, be held within forty-five (45) days of receipt of the notice requisitioning it Requisition Notice.
- 9-15 If the Secretary does not within thirty (30) days after the receipt of the Requisition Notice proceed to convene an EGM, the Members who issued the Requisition Notice may themselves, in the same manner as nearly as possible as that in which meetings are to be convened by the National Council, convene an EGM **PROVIDED THAT** any meeting so convened shall not be held after the expiration of ninety (90) days from the date of the Requisition Notice.
- 9-16 If within one (1) hour from the time appointed for the Extraordinary General Meeting, an EGM Quorum is not present, the said meeting shall be postponed to a date not exceeding thirty (30) days thereafter and as determined by the National Council **PROVIDED ALWAYS THAT** if no EGM Quorum is present after one (1) hour from the time appointed for an Extraordinary General Meeting requisitioned by Organisational Voting Members or Individual Voting Members as the case may be, the said meeting shall be cancelled and no Extraordinary General Meeting shall be requisitioned for the same purpose until after the lapse of at least one hundred and eighty (180) days from the date thereof.
- 9-17 The Secretary shall forward a copy of the draft minutes of General Meetings to all Voting Members within ninety (90) days after its conclusion.

9-18 Any notice of a General Meeting ("**Notice**") must be dispatched by hand or post and contain the following details: -

9-18-1 date;

9-18-2 time;

9-18-2 place of meeting; and

9-18-4 purpose of the said meeting.

9-19 The Notice shall be sent by the Secretary to all Members in the classes of membership stipulated in Clause 9-1 hereof: -

9-19-1 in respect of an Annual General Meeting not later than sixty (60) days before the date fixed for the said meeting; and

9-19-2 in respect of an Extraordinary General Meeting not later than thirty (30) days before the date fixed for the meeting.

9-20 The Notice shall also be prominently displayed at the registered office of the MFPC.

9-21 All notices required to be given by MFPC to Members shall be in writing and any such notice or notification may be sent by: -

9-21-1 post;

9-21-2 hand;

9-21-3 email;

9-21-4 facsimile transmission; or

9-21-5 any form of digital transmission,

to the postal address and/or telephone number, email address, mailbox, member registration portal as the case may be, provided by the Members to the MFPC and shall be deemed to have been received: -

(i) in the case of all notices to persons in Malaysia dispatched by post, seven (7) days after the same is sent by post;

(ii) in the case of all notices sent by hand, upon delivery of the same; and

(iii) in the case of all notices sent by e-mail or facsimile transmission or any form of digital transmission, immediately after transmission thereof.

9-22 In relation to the exercise of voting rights by Members, the following shall apply:

- 9-22-1 Organisational Voting Members shall be entitled to one (1) vote each;
- 9-22-2 Individual Voting Members shall be entitled to one (1) vote each;
- 9-22-3 the sum total of all the votes of Organisational Voting Members, regardless of the number of votes thereof, shall amount to sixty per centum (60%) of the total number of votes at a General Meeting (the “**Organisational Voting Percentage**”); and
- 9-22-4 the sum total of all the votes of Individual Voting Members shall be equivalent to forty per centum (40%) of the total number of votes at a General Meeting (the “**Individual Voting Percentage**”) **PROVIDED THAT** there shall be at least ten per centum (10%) of the total number of Individual Voting Members present and voting **PROVIDED FURTHER THAT** in event that there is less than ten per centum (10%) of the total number of Individual Voting Members present and voting, then the relevant Individual Voting Percentage shall be equivalent to:-

$$\frac{\text{(the number of Individual Voting Members present \& voting)}}{\text{(ten per centum (10\%) of the total number of Individual Voting Members)}} \times 40\%$$

The sum total of the Organisational Voting Percentage and the Individual Voting Percentage shall be known as the “**Representative Voting Percentage**”.

- 9-23 Votes may be given either personally or by proxy as hereinafter provided.
- 9-24 Every instrument of proxy for a specified General Meeting must be in the common form or in any form which the MFPC may approve from time to time. The instrument of proxy shall be in writing and under the hand of the appointee. It shall be deposited at the registered office of the MFPC not less than seventy-two (72) hours before the time appointed for the respective General Meeting or adjourned General Meeting at which the Member proposes to vote, otherwise the person so elected shall not be entitled to vote in respect thereof.
- 9-25 A Voting Member may appoint another Voting Member, and no other person as his proxy to vote at any General Meeting.
- 9-26 A vote given by proxy in accordance with the terms of an instrument appointing a proxy shall be valid notwithstanding the previous death of the principal or revocation of the instrument under which the vote is given **PROVIDED THAT** no intimation in writing of the death or revocation shall have been received by the National Council before the relevant General Meeting is held.
- 9-27 The list of persons in the Register of Members (the “**Members’ List**”) as at December 31<sup>st</sup> of the Financial Year immediately preceding a General Meeting shall be the official list of eligible Voting Members for the purposes of voting at General Meetings and all other meetings referred to in this Constitution, as the context may require.

- 9-28 Voting on all matters at General Meetings shall be by secret ballot in accordance with Clause 9-22 hereof. No postal balloting shall be permitted.
- 9-29 The secret ballot shall take place in such manner as the chairman of the General Meeting directs and the result of the secret ballot shall be deemed to be the resolution of the meeting at which the secret ballot was held. A declaration by the chairman of the General Meeting that a resolution has been carried or carried by a particular majority or lost or not carried by a particular majority and an entry to that effect in the minute book of the MFPC shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against it.
- 9-30 Unless specifically stated otherwise, every resolution passed or decisions made at any General Meeting shall be by a simple majority of the Representative Voting Percentage ("**Simple Majority**") as determined in accordance with Clause 9-22 hereof and shall be valid and binding on each and every Member of the MFPC unless and until superceded by a resolution passed at a subsequent General Meeting, notwithstanding that a Member had voted against the resolution or decision.
- 9-31 Notwithstanding any other provision in this Constitution, in the event of an equality of votes, the chairman of the General Meeting shall have a casting vote in addition to the vote to which he is entitled to as a Member.

#### **MFPC CONSTITUTION CLAUSE 6 MEMBERSHIP**

- 6-2 MFPC shall have the following categories of membership and within each of the said categories there shall be distinct classes of membership as provided below:
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6-2-1 **Organisational Members**

(i) **ChPOs**

These are the original promoter organisations of MFPC that is LIAM, NAMLIFA and MII. Notwithstanding any subsequent change of name, the membership of the ChPOs is automatic and permanent in recognition of their critical contributions towards the formation of MFPC.

This class of membership shall be conferred with voting rights in accordance with Clause 9-22 hereof.

(ii) **FSO Members**

Financial Services Organisations who have been extended an invite and accepted the invitation by the National Council to become Members shall be FSO Members.

This class of membership shall be conferred with voting rights in accordance with Clause 9-22 hereof.

## 6-2-2 Corporate Members

### (i) **ChFSI Members**

Financial Services Institutions who have provided significant resources, whether financial or otherwise, to the formation of the MFPC as determined by the first National Council, shall be ChFSIs.

This class of membership shall not be conferred with voting rights.

### (ii) **FSI Members**

Financial Services Institutions other than ChFSIs who have applied to become Members.

This class of membership shall not be conferred with voting rights.

### (iii) **FSF Members**

Financial Services Firms who have applied to become Members.

This class of membership shall not be conferred with voting rights.

### (iv) **Affiliate Members – Corporate**

Affiliate Corporate who have applied to become Members.

This class of membership shall not be conferred with voting rights.

## 6-2-3 Individual Members

### (i) **Honorary Fellow Members (“F.MFPC (Hon.)”)**

This class of membership of the MFPC is to be conferred on individuals involved in Financial Planning who are not Members of the MFPC but who, in the opinion of the National Council, have made outstanding contributions to the progress and development of Financial Planning in Malaysia. Membership may be conferred anytime deemed appropriate by the National Council and is by invitation only. Honorary Fellow Members will not have the rights of an Ordinary Member.

This class of membership shall not be conferred with voting rights.

### (ii) **Fellow Members (“F.MFPC”)**

This class of membership of the MFPC is conferred on RFPs or Shariah RFPs who are Ordinary Members and who, in the opinion of the National Council, have made outstanding contributions to the progress and development of Financial Planning in Malaysia. Membership may be conferred anytime deemed appropriate by

the National Council and is by invitation only. Fellow Members shall enjoy all the rights of an Ordinary Member.

This class of membership shall be conferred with voting rights in accordance with Clause 9-22 hereof.

(iii) **Ordinary Members**

RFPs, Shariah RFPs or ChPOs' and FSOs' representatives who are residents in Malaysia and have fulfilled all the criteria set by the National Council may apply to be ordinary members. In order to remain as an Ordinary Member, the individual must fulfill all the requirements set by the National Council from time to time. The representatives of the ChPOs' and FSOs' need not be a RFP or Shariah RFP designee to apply for ordinary membership but they must be Malaysian citizens and residents in Malaysia at the time of their applications.

This class of membership shall be conferred with voting rights in accordance with Clause 9-22 hereof.

(iv) **Associate Members**

Any individual who has passed one RFP/Shariah RFP Module of the RFP Programme offered by the MFPC and/or conducted by a Course Provider.

This class of membership shall not be conferred with voting rights.

(v) **Affiliate Members – Individual**

Any individual who has registered with a Course Provider to become a RFP or Shariah RFP or to study any other course offered by the MFPC but who has not completed the requirements to become a RFP or Shariah RFP or any other designation as may be prescribed by the MFPC, shall be an Affiliate Member.

Natural persons who are affiliate members may apply to be conferred the RFP or Shariah RFP designation after fulfilling other criteria set by the National Council.

This class of membership shall not be conferred with voting rights.

(vi) **Affiliate Members – International**

Non-resident who has registered with a Course Provider to become a RFP or Shariah RFP or to study any other course offered by the MFPC but who has not completed the requirements to become a RFP or Shariah RFP or any other designation as may be prescribed by the MFPC; shall be an Affiliate Member – International.



Natural persons who are affiliate members – international may apply to be conferred the RFP or Shariah RFP designation after fulfilling other criteria set by the National Council.

This class of membership shall not be conferred with voting rights.

#### **MFPC Constitution Clause 15 Composition of the National Council and the Main Boards**

After the Lock-in Period and in accordance with any policies, bylaws, codes, rules, and/or regulations that may be issued by the National Council from time to time: -

15-1-1 each of the ChPOs may appoint up to two (2) representatives (the “**ChPO Representatives**”) to represent them in the National Council. ChPO Representatives shall be persons who have been Ordinary or Fellow Members for not less than two (2) years prior to the date of appointment to the National Council. Where any one (1) of the ChPO Representatives were to resign or for some other reason vacate his position in the ChPO for which he is the ChPO Representative or where he is removed from the National Council pursuant to Clause 10-10 hereof, he shall automatically be deemed to have vacated his position as the ChPO Representative and a new ChPO Representative shall be appointed by the said ChPO to replace him;

15-1-2

- (i) Each Financial Services Organisation (FSO) shall have the right to nominate two (2) persons to be FSO Representatives. All nominees shall be persons who have been Ordinary or Fellow Members for not less than two (2) years prior to the date of nomination. If more than four (4) such nominations are received from Financial Services Organisations, an election shall be held so as to elect up to four (4) of the said nominees to be members of the National Council. The nomination and subsequent election of these representatives shall be conducted through a postal nomination and election system, which shall be conducted prior to the Annual General Meeting. The representatives elected pursuant to this Clause shall hereinafter be referred to as the “**FSO Representatives**”;
- (ii) Charter Promoter Organization (ChPO) shall not be eligible as FSO and it shall not be entitled to exercise any right of nomination and/or voting under this Clause.

15-1-3 the Ordinary and Fellow Members shall have the right to nominate up to eighteen (18) persons from among the Individual Voting Members and elect up to six (6) of the said persons to be members of the National Council. All nominees shall be persons who have been Ordinary or Fellow Members for not less than two (2) years prior to the date of

nomination. The nomination and subsequent election of these representatives shall be conducted through a postal nomination and election system, which shall be conducted prior to the Annual General Meeting. The representatives elected pursuant to this Clause shall hereinafter be referred to as the “**Individual Members’ Representatives**”.

- 15-2 Nominations shall be received from the Voting Members for the positions of President, Deputy President, Vice President for External Relations and Publicity, Vice President for Membership, Vice President for Research and Publication, Secretary and Treasurer from amongst the ChPO Representatives, the FSO Representatives and the Individual Members’ Representatives elected pursuant to Clause 15-1. These nominations shall be conducted through a postal nomination system prior to the Annual General Meeting.
- 15-3 In the event that only one (1) nomination is received for any one (1) or more of the positions in the National Council referred to in Clause 15-2, then the person(s) so nominated shall assume the position(s) from the conclusion of the relevant Annual General Meeting. In the event that more than one (1) nomination is received for any one (1) or more of the positions in the National Council as referred to in Clause 15-2, an election shall be held at the relevant Annual General Meeting in respect of the relevant position(s). The persons elected to hold these positions shall hold the same for a period of two (2) years from the date of election. The ChPO Representatives, the FSO Representatives and the Individual Members’ Representatives who have not been elected to any of the positions referred to in Clause 15-2 shall comprise the Committee Members.
- 15-4 A Member shall not hold the office of President or Treasurer for more than two (2) consecutive terms but may after the lapse of at least one (1) term be elected as President or Treasurer, as the case may be.
- 15-5 After the Lock-In-Period, the composition of the Main Boards shall be as follows:-
- 15-5-1 the Chairman and Deputy Chairman are to be appointed by the members of the National Council, from the existing members of the National Council; and
  - 15-5-2 the Chairman shall appoint their respective Board Members **PROVIDED THAT** all appointments of Board Members by the Chairman shall be subject to the approval of the National Council. The National Council may if it deems fit, veto the approval of any one (1) or more Member(s) as a Board Member(s) and in that event, the Chairman(men) shall appoint another Member(s) to replace him.
- 15-6 The members of the National Council, the Board Members and every officer performing executive and administrative functions in the MFPC shall be citizens of Malaysia and Members who are not in default of any of their obligations under this Constitution or policies, bylaws, codes, rules and/or regulations set by MFPC.

- 15-7 In order to be a ChPO Representative, a FSO Representative or an Individual Members' Representative on the National Council, the individual must either be an Ordinary or Fellow Member who is not in default of any of his obligations under this Constitution or policies, bylaws, codes, rules and/or regulations set by the MFPC.
- 15-8 After the Lock-In-Period, the National Council shall, pursuant to Clause 10-6 hereof, appoint an Election Committee consisting of five (5) Ordinary and/or Fellow Members and their role shall be to: -
- 15-8-1 examine the eligibility and qualifications of each of the nominees proposed by the Voting Members for the election of positions on the National Council;
  - 15-8-2 finalise the list of nominees for positions in the National Council for the abovementioned election and submit the same to the National Council; and
  - 15-8-3 conduct any and all elections in accordance with any policies, bylaws, codes, rules, and/or regulations that may be issued by the National Council from time to time.
- 15-9 The National Council shall before the Annual General Meeting in the year in which elections are to be held, appoint any one (1) of the members of the Election Committee to be the Election Chairman and he will assist the chairman of the Annual General Meeting in conducting the election proceedings.
- 15-10 In the event that no nominations are received for a particular position on the National Council, the Election Chairman shall request the Voting Members to propose a nominee for the vacant position. Voting Members will be given fifteen (15) minutes to propose and second a nominee. If there are still no nominees for a particular position, the National Council shall have the power to appoint a Member to fill the vacancy for two (2) years.
- 15-11 The Members' List as at December 31<sup>st</sup> of the Financial Year immediately preceding a General Meeting shall be the official Members' List for the purposes of eligibility for election as members of the National Council or committees or sub-committees of the MFPC.

### **Election Committee**

- 15-8 After the Lock-In-Period, the National Council shall, pursuant to Clause 10-6 hereof, appoints an Election Committee consisting of five (5) Ordinary and/or Fellow Members and their role shall be to: -
- 15-8-1 examine the eligibility and qualifications of each of the nominees proposed by the Voting Members for the election of positions on the National Council;
  - 15-8-2 finalise the list of nominees for positions in the National Council for the abovementioned election and submit the same to the National Council; and

15-8-3 conduct any and all elections in accordance with any policies, bylaws, codes, rules, and/or regulations that may be issued by the National Council from time to time.

## **(B) Election Bylaws**

### **(1) Eligibility of Voting Members**

1. 50% of the Organization Voting Members are required to be present for AGM to form the meeting quorum. Organization Voting Members are ChPOs (LIAM, AII & NAMLIFA) and FSO (MTA, AFA IBFIM & ASAS).
2. ChPOs shall not be eligible as FSO. In this case, LIAM, MII and NAMLIFA cannot be FSO.
3. Organization Voting Members and Individual Voting Members' (Ordinary/Fellow Member) membership fee shall be paid on or before **31 March** of the Election Year by 3.00 pm; and they are active on Members' List as at December 31<sup>st</sup> of the Financial Year immediately preceding a General Meeting.

### **(2) Notification of MFPC Election**

1. Secretariat to send Election Notice which contains general information on election to all the Organization Voting Members and Individual Voting Members.
2. Election Notice shall be posted on MFPC website and to be sent to members together with the reminder notice for membership renewal during election year.

### **(3) Opening of Appointment Form for Charter Promoter Organizations(ChPO) / Opening of Nomination Form for Financial Services Organizations(FSO) / Opening of Nomination Form for Individual/Fellow Members**

1. Eligibility of Individual Nominee  
The Election Committee shall accept nomination on individual basis.  
The Election Committee shall disqualified only the particular invalid nominee printed on the Nomination Form, i.e a nominee whom was not listed in the register of eligible voting member. Election Committee shall accept and validate the eligibility of the rest of the nominee(s) that was printed on the same Nomination Form.
2. The Election Committee accepts original and/or fax/scan Appointment Form and Nomination Form. Individualized serial number is printed on all valid forms. For official validation and control purposes; duplicate forms is printed with serial number as well. Duplicate form shall be requested from MFPC Secretariat should member fails to receive his/her form; or the form has been misplaced.
3. Appointment Form and Nomination Form by Organization Voting Members must be chopped and signed by President/Deputy President/Chairman/Deputy

Chairman/Executive Director/Executive Secretary or *authorized officer* appointed by the organization. Official letter of authorization for said *authorized officer* shall be forwarded to MFPC Secretariat.

4. All Proposers, Seconders and Nominees must be eligible voting members.
5. The Proposer and Seconder shall be a different person.
6. Nominee shall be disqualified if the Nominee is also the Proposer and/or Seconder on the same Nomination Form.
7. Nominee shall be disqualified if his/her Proposer and/or Seconder are ineligible Voting Member.
8. The same set of Proposer and Seconder shall nominate only one (1) time.
9. In the event of direct exchange of Proposer and Seconder on the Nomination Formed is observed; only 1<sup>st</sup> Nomination Form is qualified, the 2<sup>nd</sup> Nomination Form shall be disqualified. The Nomination Form received earlier shall be the 1<sup>st</sup> Nomination Form.
10. In the event that the 1<sup>st</sup> and 2<sup>nd</sup> Nomination Form was printed the same name of Nominee(s); only one (1) Nomination Form is counted.
11. Secretariat to coordinate postal election from among the Individual Voting Members to elect up to six (6) of the nominees to be members of the National Council prior to Annual General Meeting.

#### **(4) Scanned Election Form/Nomination Form**

1. The Election Committee accepts both original and scanned Election Form and Nomination Form as legitimate form for election proceeding provided the Election Form is signed by the eligible Voting Member.
2. Secretariat to confirm validity of the Voting Members who submitted the Election Form.

#### **(5) Opening of Election Form**

1. The Election Form shall be considered invalid if more that 6 nominees were crossed on the Election Form.
2. Election Form shall be considered valid if there was only a nominee or maximum 6 nominees were crossed/elected.
3. Election Committee reserves the right to conduct verification direct via telephone conversation with the voting members, i.e when the Election Committee found voting member used different color ink in marking their nominees on the Election Form and/or when the Election Committee needed clarification from the voting members.

4. Organization Voting Members (FSO) Election Form must be chopped and signed by President/Deputy President/Chairman/Deputy Chairman/Executive Director/Executive Secretary or authorized officer appointed by the organization. Official letter of authorization for said authorized officer shall be forward to MFPC Secretariat.
5. Secretariat is required to tabulate all the brief profile of ChPO Representatives, FSO Representatives and Individual Member Representatives for next round of nomination, Nomination of National Council's position. All Representatives and Nominees' brief profile shall be up-load to the MPFC website for notation.
6. Secretariat shall issue an email notification to nominees who have been successfully elected as NC members within three (3) days after the results are made known. Email notification shall also be sent to unsuccessful nominees.

#### **(6) Election (NC Positions)**

1. The Secretariat shall compile eligible Nominees' personal profile to be up-loaded to MFPC website for notation. The personal profile (1 page) shall include the followings;
  - Name
  - Year of Birth
  - Current Position & Company Employed or Self- employed
  - Academic & Professional Qualification (s)
  - Activities & Achievements in the past 5 years
  - A recent photograph
2. Nominee can be nominated for more than one (1) position. Consent from Nominees must be obtained for each position. In the event that Nominee wins several positions, the Nominee will only be elected to the position with the highest number of votes. If there is a tie on the numbers of vote, the percentage of vote cast for each category shall be considered.
3. Secretariat shall inform FSO nominees in advance should the NC seats are guaranteed prior to issuance of Election Forms. This will happen when there is only 4 or less than 4 nominees were nominated by FSOs. FSO nominees shall therefore withdraw automatically as Individual Members' Representative should they also been nominated as Individual Members' Representative.
4. Should there be a contest for an individual nominee in both categories, FSO Representative and Individual Members' Representative; the said nominee reserves his right to be elected in both categories. After winning both categories, it is said nominee's sole desire to decide on acceptance of nomination in the capacity of FSO Representative or Individual Members' Representative.
5. Should the Secretariat receive withdrawal from nominee on Election of the Individual Members' Representative before the election forms are sent to Voting Members, the said nominee shall be automatically qualified for FSO Representative; if he has also been nominated by the FSO Member (s).

## (7) Vote Counting

1. Vote counting is based on simple majority principles. However, if simple majority is not observed, the highest vote count principle will take effective.
2. Organizational Voting Percentage is 60% and Individual Voting Percentage is 40%.

For illustration purposes;

<u>Position X</u>	<u>Organization Vote</u>	<u>Individual Vote</u>
C1	2 = 50%	30 = 30%
C2	1 = 25%	50 = 50%
C3	1 = 25%	20 = 20%

### Total Votes

C1	$50 \times 0.6 + 30 \times 0.4 = 42\%$
C2	$25 \times 0.6 + 50 \times 0.4 = 35\%$
C3	$25 \times 0.6 + 20 \times 0.4 = 23\%$

3. Nominee shall accept the highest vote received for his/her nominated position in the event if he/she has been nominated for more than one position.

Nominee whom received second highest vote shall be automatically appointed to the nominated NC position in the even that the highest vote nominee has be appointed another NC position in which he/she received his/her highest vote for that NC position.

*For further illustration:*

#### Nominee Mr A

- won 200 votes for Vice President for Membership
- won 180 votes for Treasurer
- won 150 votes for Secretary

*Nominee A shall be appointed as Vice President for Membership. Nominee A will not be able to select position as he wished. Position will be appointed for highest vote he received.*

#### Nominee Mr B

- won 170 votes for Treasurer

#### Nominee Mr C

- won 160 votes for Treasure

*Nominee B shall be appointed Treasurer automatically when Nominee A is appointed as VP for Membership. Nominee B shall be appointed Treasurer position for his second higher votes received for Treasurer position. There will not be recount of votes or election between Nominee B and C.*

## (8) Proxy

1. Proxy Form states that "A member, except the Chairman of the Meeting, shall not be entitled to represent more than one (1) member as his or her proxy. It should be interpreted as the Chairman of the Meeting can represent "unlimited" number of MFPC members to vote during the AGM.
2. One member can only represent one member. One to one principle applies.

3. Chairman of the AGM can represent by one and more proxy. For example, Ali, knowing that he can't attend the AGM, Ali can appoint Badli who will attend AGM as his proxy and the proxy appointment procedure is followed. For reasons beyond control, Badli could not attend AGM; then the Chairman will act as "Default Appointed Proxy" for Ali. However, if Badli knows that he can't attend the AGM and wants to appoint another member, Charlie as his proxy before the 72 hours deadline. Hence, Badli can't represent Ali anymore unless he withdraws his appointment of Charlie as his proxy.
4. Election Committee accepts both original and scanned copy of proxy form.

#### **(9) Election Campaigns**

1. Election campaign shall not be allowed during the AGM and Election Day.
2. If there is contest for Presidents Position, the nominees are given maximum 5 minutes to address the members present for AGM & Election. Nominee's speech is only allowed for Presidents Position.
3. Nominees are not allowed to get Secretariat staffs involved in election campaigns prior to and/or on Election Day i.e to send emails, post flyers, invite for meetings etc.
4. All nominees are invited to submit their Nominee's Message and a standard format as below;
  - ( a ) Introduction
  - ( b ) What nominee wanted to achieve/to do
  - ( c ) Past experience contribute to achieving objectives

The write up should be limited to 1page (A4 size paper) with maximum of 500 words.

5. Election Committee allows NC Positions (Office Bearers) campaigning period for at least eight (8) days.

#### **(10) Withdrawal and Invalid Forms**

1. Nominee(s) shall inform in writing to the Election Committee on their decision to withdraw from their nominated/elected position.
2. Should the nominee(s) withdrew after the issuance of Election Forms/Ballot Papers; the Secretariat shall up-date the Voting Members on Nominee(s)' withdrawal upon endorsement from the Election Committee; a memo pertaining to the same shall be posted onto MFPC website.
3. Should the nominee(s) withdrew prior to the issuance of Election Forms/Ballot Papers; the name of withdrew nominee(s) shall not be included in the Election Forms/Ballot Papers.



4. The Secretariat to notify Proposer and cc Nominee (s) and Seconded on any invalid Nomination Form via email as endorsed by the Election Committee.

#### **(11) Counting on Nomination & Election Forms**

1. Election Committee shall witness the forms counting session. The Election Committee shall verify valid and invalid forms.
2. The Election Committee shall conduct random checks on form counting to eliminate recording errors.
3. Election Committee shall sign/e-sign their signatures on the Forms.

#### **(12) Deadlines for Nomination and Election Form Submission**

1. Schedule of closing dates for the submission of the respective Nomination Forms and Election Forms shall be approved by the Election Committee in advance.
2. Nomination Forms and Election Forms shall be submitted to MFPC Election Committee at the MFPC Secretariat Office. Closing time shall be **3.00pm** of the scheduled dates.
3. Appointed Election PIC shall acknowledge receipt of the form; and keep the forms in safe until the Election Committee meets for the forms opening session.

Guidelines on dates for form issuance and submission;

- (1) Secretariat to issue Notification of election year in January of the year to urge members to pay membership by 31 March.
- (2) Nomination Form (NC Members)  
To be issued 85-days prior to AGM to all eligible voting members  
Deadline of submission shall be 16 days from the date of issuance of Nomination Form
- (3) Election Form (NC Members)  
To be issued Five (5) days later upon receipt of Nomination Forms.  
Within the Five (5) days Secretariat shall collect brief profile of the Nominees.  
Deadline of submission of Election Form shall be 16 days from the date of issuance of Election Form.
- (4) NC Office Bearer (Position) Nomination Form  
To be issued Five (5) days later upon receipt of Election Form. Deadline for NC Office Bearer (Position) Nomination Form shall be 16 days from the issuance of Nomination Form. Once the nominees are made known, Secretariat shall request election messages (optional) from the contestants to be posted onto MFPC website within Seven (7) days.
- (5) Campaign period of at least eight (8) days shall be allowed for all NC Office Bearer (Position) nominees prior to AGM day.

(6) Campaign closure shall be two (2) days prior to AGM & Election day.  
Secretariat shall prepare ballot papers and get ready for election.

**(13) Election Committee**

1. Election Committee consists of Five (5) Ordinary and/or Fellow Members.
2. Chairman shall be appointed from one of the Committee Members.
3. Chairman is preferably a National Council Member for NC reporting purposes and shall assist the President/Chairman of the AGM for Election proceedings.
4. Election Committee Member(s) happened to be involved in the candidacy of the election shall withdraw from the Election Committee.
5. Should majority of the Election Committee Members are elected or contested in the election, Secretariat shall invite past President (active and not contested) and/or Auditor to assist in vote counting and verification procedures.

-----**END**-----