

CONSTITUTION



SOCIETY FOR MALAYSIAN HIGHER EDUCATION INSTITUTIONS QUALITY ASSURANCE NETWORK

**PERLEMBAGAAN PERTUBUHAN JARINGAN JAMINAN KUALITI
INSTITUSI PENGAJIAN TINGGI MALAYSIA**

**Society for Malaysian Higher Education Institutions
Quality Assurance Network (MyQAN) Constitution**

1. Name

Pertubuhan Jaringan Jaminan Kualiti Institusi Pengajian Tinggi Malaysia

(Society for Malaysian Higher Education Institutions Quality Assurance Network)
(MyQAN)

2. Place of Business

Institute of Quality and Knowledge Advancement (InQKA)
Level 5, Block A, Bangunan Akademik 2
Universiti Teknologi MARA
Jalan Ilmu 1/1, 40450 Shah Alam
Selangor Darul Ehsan

3. Flags, Symbols, Badges or Other Insignia

(1) Design and color of logo/symbol:



(2) Motto:
Nurturing Quality



4. **Aims and Objects**

- (1) Vision:
To be a distinguished quality assurance network in the region.
- (2) Mission:
A quality assurance network amongst Malaysian Higher Education Institutions (HEIs) in sharing good practices and strengthening internal quality assurance, while providing interface with regulators and stakeholders.
- (3) Terms of Reference:
 - (a) The Network will serve as a platform for discussing quality matters and sharing of good practices among Higher Education Institutions (HEIs) in Malaysia.
 - (b) The Network will seek to strengthen Internal Quality Assurance (IQA) system of the HEIs in Malaysia.
 - (c) The Network will interface with regulators and stakeholders pertaining to quality matters, nationally and internationally.
 - (d) The Network will represent HEIs in undertaking international engagement networking and collaboration for mutual benefit.

5. Membership

(1) Scope of membership:

Membership shall be open to all higher education institutions that are registered with the Ministry of Higher Education (MoHE), Ministry of Education (MoE) and any other approved degree granting institutions or organizations of specific interest as determined by the Committee. The HEI shall appoint a management representative to act on behalf of the institution.

(2) Category of membership:

Membership consists of two categories as follows:

- (a) **Full Members:** Malaysian Qualifications Framework (MQF) Level 6 or higher degree granting higher education institutions in Malaysia or any other organizations as determined by the Committee;
- (b) **Associate Members:** Other organizations in Malaysia with a major interest and active involvement in evaluation, accreditation, quality assurance or quality promotion in higher education, which is not eligible for full membership as determined by the Committee.

(3) Every application for membership shall be submitted to the Secretary who shall at the first evaluate applicants' information validity and eligibility in meeting criteria as prescribed in Paragraph 5, Sub-paragraph (1), (2- (a) or (b)) and decide and confirm applicants' membership, OR if deemed necessary to deliberate to the Committee for approval. The Committee may at its discretion reject any application without assigning any reason thereof.

(4) Every applicant whose application has been approved as aforesaid shall, be admitted as a member of the Network and shall be entitled to all the privileges of membership.

6. Fee Structure

- (1) Every applicant for membership is subject to due (in Ringgit Malaysia) as prescribed in below Schedule of Fee.

Schedule of Fee

Type of Membership	Application Fee	Annual Fee	Lifetime Membership Fee
Full Member	Not Applicable	150.00	1000.00
Associate Member	Not Applicable	100.00	Not Applicable

- (2) All registered members are accountable for Annual Fee which shall be paid before the end of financial year, i.e. 30th June of each year. Failing which, they will lose their right to sit in the AGM (as described in Clause 8 of this Constitution), and to enjoy any other benefits that subscribed by MyQAN members.
- (3) Any member which applied for Lifetime Member, and approved as described in clause 5 (4) has the privilege not to pay for Annual Fee.
- (4) Any members which fails to pay membership fee for two (2) consecutive years is considered willingly to void/invalidate/ lose his/her membership without prejudice.

7. Resignation and Termination

- (1) Any member who wishes to resign from the Network shall give fourteen (14) days' notice in writing to the Secretary.
- (2) Any member who fails to comply with the Constitution of the Network or has acted in a manner to bring disrepute upon the Network may be expelled or suspended for a period of time as the Committee deems fit. Before the Committee expels or suspends the member, the member shall be informed of the grounds for such expulsion or suspension in writing and be given an opportunity to explain and clear himself/herself in person. Such suspension or expulsion shall be enforced, unless otherwise reversed by a general meeting upon appeal by the said member.

8. General Meeting

- (1) The supreme authority of the Network is vested in a general meeting of the members. At least one-half of the voting membership of the Network or the voting members present represent twice the total number of Committee Members, whichever is the lesser, must be present at a general meeting for its proceedings to be valid and to constitute a quorum.
- (2) If half an hour after the time appointed for the meeting a quorum is not present, the meeting shall be postponed to a date (not exceeding thirty (30) days) to be decided by the Committee; and if a quorum is not present half an hour after the time appointed for the postponed meeting, the members present shall have the power to proceed with the business of the day but shall not have the power to alter the Constitution of the Network or make any decision affecting the whole membership.
- (3) An annual general meeting of the Network shall be held as soon as possible after the close of each financial year but not later than April OR in any month, on a date and a time and place to be decided by the Committee. The business of the annual general meeting shall be:
 - (a) To receive the minutes of the previous annual general meeting;
 - (b) To receive the Committee's report on the working of the Network during the previous year;
 - (c) To receive the Treasurers' report and the audited accounts of the Network for the previous year;
 - (d) To elect a Committee and to appoint auditors for the ensuing year;
 - (e) To deal with such other matters as may be put before it.
- (4) The Secretary shall send to all members at least fourteen (14) days before the meeting an agenda including copies of minutes and reports, together with the audited accounts of the Network for the previous year. Copies of these documents will also be made available at the registered place of business of the Network for the perusal of members.
- (5) An extraordinary general meeting of the Network shall be convened:
 - (a) Whenever the Committee deems it desirable; or
 - (b) At the joint request in writing of not less than twice the number of Committee Members, stating the objects and reasons for such meeting.

- (6) An extraordinary general meeting requisitioned by members shall be convened for a date within thirty (30) days of the receipt of such requisition.
- (7) Notice and agenda for an extraordinary general meeting shall be forwarded by the Secretary to all members at least fourteen (14) days before the date fixed for the meeting.
- (8) Paragraphs 8 (1) and 8 (2) of this Constitution regarding the quorum and the postponement of an annual general meeting shall apply also to an extraordinary general meeting, but with the provision that if no quorum is present after half an hour from the time appointed for a postponed extraordinary general meeting requisitioned by the members, the 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 eighty (180) days from the date thereof.
- (9) The Secretary shall forward to all members a copy of the draft minutes of each annual and extraordinary general meeting as soon as possible after its conclusion.

9. Committee

- (1) A committee consisting of the following, who shall be termed the office-bearers of the Network, shall be elected at the annual general meeting:
 - (a) A President;
 - (b) A Deputy President;
 - (c) A Secretary;
 - (d) A Treasurer;
 - (e) Nine (9) Ordinary Committee Members; of which in the five (5) members shall represent northern, central, southern, east coast and Sabah/Sarawak zones respectively. In the event no ordinary committee member can represent any of these zones, additional committee members shall be appointed by the committee as *ex-officio* to represent the zones.
 - (f) Additional *ex-officio* may also be appointed by the committee from any other HEIs not represented in current office bearers, if deemed necessary in order to have representative composition in the committee.
- (2) In assisting the elected office-bearers, the following *ex-officio* shall be appointed:
 - (a) Immediate Past President (Personal Capacity) for advisory role;
 - (b) A representative from the Malaysian Qualifications Agency (MQA), who is to be appointed by its Chief Executive Officer;
 - (c) An Assistant Secretary, to be appointed at the discretion of the elected Secretary from his/her IHL;
 - (d) An Assistant Treasurer, to be appointed at the discretion of the elected Treasurer from his/her IHL.
 - (e) As per clause 9 (1) (e) & 9 (1) (f).
- (3) All office-bearers of the Network and every officer performing executive functions in the Network shall be Malaysian citizens representing public and private universities from the Quality Assurance portfolio.
- (4) Names for the above offices in paragraph 9 (1) shall be proposed and seconded and election will be by a simple majority vote of the members at the annual general meeting. **The election for all office bearers shall be conducted for every two (2) years, which the current office bearers are eligible for re-election.**
- (5) The function of the Committee is to organize and supervise the day-to-day activities of the Network and to make decisions on matters affecting its running within the

general policy laid down by the general meeting. The Committee shall not act contrary to the expressed wishes of the general meeting without prior reference to it and shall always remain subordinate to the general meeting. It shall furnish a report to each annual general meeting on its activities during the previous year.

- (6) The Committee shall meet at least once every ninety (90) days, a fourteen (14) days' notice of each meeting shall be given to the members. The President acting alone, or not less than three of its members acting together may call for a meeting of the Committee to be held at any time. At least one half of the Committee Members must be present for its proceedings to be valid and to constitute a quorum.
- (7) Where any urgent matter requiring the approval of the Committee arises and it is not possible to convene a meeting, the Secretary may obtain such approval by means of a circular letter. The following conditions must be fulfilled before a decision of the Committee is deemed to have been obtained:
 - (a) The issue must be clearly set out in the circular and forwarded to all members of the committee;
 - (b) At least one-half of the members of the Committee must indicate whether they are in favor or against the proposal; and
 - (c) The decision must be by a majority vote. Any decision obtained by circular letter shall be reported by the Secretary to the next Committee meeting and recorded in the minutes thereof.
- (8) Any member of the Committee who fails to attend three consecutive meetings of the committee without satisfactory explanation shall be deemed to have resigned from the Committee.
- (9) In the event of the death or resignation of a member of the Committee, the Committee shall have the power to co-opt any other member of the Network to fill the vacancy until the next election of office-bearers.
- (10) The Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Network. It may appoint such officers and such staff as it deems necessary. It may suspend or dismiss any officers or member of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee, or for any other reason which it deems good and sufficient in the interest of the Network.

- (11) The Committee may appoint any sub-committee for any purpose arising out of or connected with any of the duties, functions and aims laid down under the rules. Any members can become members of these sub-committee.

10. Duties of Office-Bearers

- (1) The President shall during his term of office preside at all general meetings, all meetings of the committee and shall be responsible for the proper conduct of all such meetings. He/She shall have the casting vote and shall sign the minutes of each meeting at the time they are approved. He/She shall, in conjunction with the Secretary and the Treasurer sign all cheques on behalf of the Network.
- (2) The Deputy-President shall deputize for the President during the latter's absence.
- (3) The Secretary shall conduct the business of the Network in accordance with the Constitution, and shall carry out the instructions of the general meeting and of the Committee. He/She shall be responsible for conducting all correspondence and keeping all books, documents and paper except the accounts and financial records. He/She shall attend all meetings, and record all proceedings. He/She shall keep a membership register consisting of details such as name, identity card number, date and place of birth, occupation, name and address of employer and residential address. He/She shall in conjunction with the President and the Treasurer, sign all cheques on behalf of Network.
- (4) The Assistant Secretary shall assist the Secretary in carrying out his/her duties and shall act for him/her in his/her absence.
- (5) The Treasurer shall be responsible for the finances of the Network. He/She shall keep accounts of all its financial transactions and shall be responsible for their correctness. He/She shall in conjunction with the President and the Secretary sign all cheques on behalf of the Network.
- (6) The Assistant Treasurer shall assist the Treasurer in carrying out his duties and shall act for him/her in his/her absence.
- (7) The Ordinary Committee Members shall carry out such duty as directed by the President or the Committee.

11. Financial Provisions

- (1) Subject to the following provisions in this Constitution the funds of the Network may be expended for the purpose necessary for the carrying out of its objects, including the expenses of its office-bearers and paid staff, and the audit of its accounts, but they shall on no account be used to pay the fine of any member who may be convicted in a court of law.
- (2) The Treasurer may hold a petty cash advance not exceeding RM 500.00 (Ringgit Malaysia Five Hundred) at any one time. All money in excess of this sum shall within seven (7) days of receipt be deposited in a bank approved by the Committee. The bank account shall be in the name of the Network.
- (3) All cheques or withdrawal notices on the Network's account shall be signed jointly by the President, *Secretary* and the Treasurer *of which two (2) signatories is required to effect the cheques. (Refer to Clause 10 (1)).* In the absence of the President or the Treasurer for a long period, the Committee shall appoint one of its members to sign in his/her place.
- (4) Expenditure less than RM 5, 000.00 (Ringgit Malaysia: Five Thousand) at any one time may be incurred by the President together with the Treasurer. *No expenditure between RM 5,000.00 (Ringgit Malaysia: Five Thousand) and RM 100,000.00 (Ringgit Malaysia: One Hundred Thousand) shall be incurred in any month without prior consent from the Committee,* and no expenditure exceeding RM 100,000.00 (Ringgit Malaysia: One Hundred Thousand) in any one month shall be incurred without the prior approval of a general meeting.
- (5) As soon as possible after the end of each financial year, a statement of receipts and payments and a balance sheet for the year shall be prepared by the Treasurer and audited by the Auditors appointed under the rule 12. The audited accounts shall be submitted for the approval of the next annual general meeting, and copies shall be made available at the registered place of business of the Network for the perusal of members.
- (6) The financial year of the Network shall commence on the **1st July and end on the 30th June** every year.

12. Audit

- (1) Two (2) members, who shall not be office-bearers of the Network, shall be appointed, by the annual general meeting as Auditors. They shall hold office for two years and may be reappointed.
- (2) The Auditors shall be required to audit the accounts of the Network for the year, and to prepare a report or certificate for the annual general meeting. They may also be required by the President to audit the accounts of the Network for any period within their tenure of office, at any date, and to make a report to the Committee.

13. Trustee

- (1) Three Trustees, who must be over 21 years of age, shall be appointed at the annual general meeting and shall hold office during the pleasure of the Network. They shall be vested in them all immovable properties whatsoever belonging to the Network upon execution of a Deed of Trust.
- (2) The Trustees shall not sell, withdraw or transfer any of the property of the Network without the consent and authority of a general meeting of members.
- (3) A Trustee may be removed from office by a general meeting on the grounds that, owing to ill health, unsoundness of mind, absence from the country or for any other reasons, he/she is unable to perform his/her duties or unable to do so satisfactorily. In the event of the death, resignation or removal of a trustee the vacancy shall be filled by a new Trustee appointed by a general meeting.

14. Interpretation

- (1) Between annual general meetings the committee shall interpret the Constitution of the Network and when necessary, determine any point on which the Constitution are silent.
- (2) Except where they are contrary to or inconsistent with the policy previously laid down by the general meeting, the decisions of the Committee shall be binding on all members of the Network unless and until countermanded by a resolution of a general meeting.

15. **Advisor/Patron**

The Committee shall if it deems fit and necessary appoint qualified persons to be the Advisor or Patron of the Network. The person appointed must give his/her consent in writing.

16. **Prohibitions**

- (1) Any form of gambling as interpreted in Common Gaming Houses Act, 1953 is forbidden in the premises of the Network.
- (2) Neither the Network nor its members shall attempt to restrict or in any other manner interfere with the trade or prices or engage in any Trade Union activities as defined in the Trade Union Act, 1959.
- (3) The Network shall not hold any lottery, whether confined to its members or not, in the name of the Network, its office-bearers or members without prior approval from the authorities concerned.
- (4) "Benefits" as mentioned under section 2 of the Societies Act 1966 shall not be given by the Network to any of its member.

17. **Amendments of Constitution**

These Constitution shall not be amended except by consent of the highest top four Committee Members OR by Committee Members OR resolution of a general meeting, whichever approach deemed timely, appropriate and necessary. Such amendments shall take effect from the date of their approval by the appropriate approving authority. Any amendment to the Constitution shall be disseminated to members of the Network within sixty (60) days of being passed by the appropriate approving authority.



18. Dissolution

- (1) The Network may be voluntarily dissolved by a resolution of not less than three-fifths of the membership present in a general meeting.
- (2) In the event of the Network being dissolved as provided above, all debts and liabilities legally incurred on its behalf shall be fully discharged, and the remaining funds shall be disposed of in such manner as may be decided upon by a general meeting.
- (3) Notice of dissolution shall be forwarded to the members of the Network and relevant stakeholders within fourteen (14) days of its dissolution.