**CONSTITUTION OF**

**MALAYSIAN FOUR WHEEL DRIVE ASSOCIATION**

1. **Name and Headquarters**
2. The Malaysian Four Wheel Drive Association is a sport body registered with the Sports Commissioner under Section 15(1) of Malaysian Sports Development Act 1997 (Act 576).
3. MFWDA headquarters is located in Kuala Lumpur, Malaysia and may only be transferred to another location following a resolution passed by the Congress.
4. **Definition**
5. In this Constitution, unless the context otherwise requires:

“Affiliate” - means the Club Four Wheel Drive which are registered with the Sports Commissioner and admitted into membership by the Congress in accordance with Article 8;

“MAM” - means Malaysian Association Motosports;

“Appointed Office Bearers” - means those office bearers appointed by the President pursuant to Article 23.1(b);

“Associate Member” - means an association with such rights and privileges to be determined by the Congress under Article 12;

“Club” - means any sports club related to Four Wheel Drive registered with the Sports Commissioner;

“Drivers” - means any drivers who takes part in any event approved and/or controlled by the MHC and/or the Members;

“Code of Ethics” - means the code of ethics that regulate the conduct and behaviour of the Officials and Members;

“Congress” - means the supreme and legislative body of MFWDA;

“Constitution” - means the Constitution of MFWDA;

“Disciplinary Code” - means the disciplinary code that regulate the discipline of and conduct among the Members, Drivers and Officials;

“Elected Office Bearer” - Means those office bearers elected by members during the Congress, which are specifically referred to in Article 23.1(a)

“Executive Board” - means the administrative body of MFWDA;

“Four Wheel Drive or 4x4” - means the Affiliate which is responsible for organising and supervising Four Wheel Drive or 4x4 in any State or Federal Territory of Malaysia and recognised by the Congress as the sole governing authority in the game of four wheel drive in that state or Federal Territory;

“Independent Members”- means any independent person being the Appointed Office Bearers as may be appointed by the President under Article 23.1(b)(i)

“Members” - means a member of MFWDA under Article 9;

“Official” - means every board member, committee member, office-bearers, umpires, coach, trainer and any other person, save with the exception of athletes responsible for technical, medical and administrative matters in MFWDA, an Association as well as all other persons obliged to comply with the MFWDA Constitution;

“Sports Commissioner” - means the Commissioner of Sports appointed under Section 10 of the Sports Development Act 1997;

“Standing Committee” - Means the Standing Committee (including any sub-committee) under Article 29;

“Standing Orders, Regulation or By Laws” - means any rules, regulations, standing orders Regulations or By Laws” or by-laws as may be approved and adopted under this Constitution; and

1. Terms referring to natural persons are applicable to both genders.
2. Natural person means any individuals including officials and athletes and legal person means any Association subject to this Constitution.
3. Any term in the singular applies to the plural and vice versa.
4. The headings in the Constitution shall not be taken as parts of them or in any manner affect the interpretations or construction of the same.
5. Written notices or communications required to be given to or by MFWDA may be sent by pre-paid mail, facsimile transmission, e-mail or other forms of electronic communication where receipt can be verified.
6. **Emblem**

A replica of the Emblem is reproduced below



1. **Objectives**

The objectives of the MFWDA are:

1. to be the sole body vested with authorities by the Members to govern men’s and women’s four wheel drive in Malaysia and to take appropriate measures to prevent infringement of the Constitution, regulations or decisions of MFWDA;
2. to represent Malaysia and organise the game of four wheel drive in all national and international level competition;
3. to draw up regulations and provisions and ensure their enforcement;
4. to exercise jurisdiction over and determine disputes or disagreements between Members, Officials, drivers and MFWDA;
5. to independently promote and develop four wheel drive at all levels throughout Malaysia in conformity with the objectives of MAM and the guidelines as may be given therewith;
6. to undertake such activities and assume such responsibilities for four wheel drive in Malaysia in accordance with the scope and extent of activities and responsibilities delegated to MAM.
7. **Powers**

In furtherance of its objectives, MFWDA may:

1. establish and enforce tournament rules and Regulations uniformly with regard to all MFWDA, tournaments and competitions in Malaysia;
2. raise funds for the MFWDA by all available legitimate means including but not limited to fees, levies and subscriptions, from royalties, sponsorships, broadcasting, merchandising, endorsement and the licensing or assignments of commercial and other rights;
3. establish rule for the resolution of disputes, disagreement or misconduct with respect to the affairs of the MFWDA and the game of four wheel drive;
4. employ and terminate the employment of any person to supervise, organise and carry out any work of the MFWDA;
5. purchase, take on lease or in exchange or otherwise acquire any property or other rights and privileges necessary for the promotion of its object and construct, maintain and alter any buildings or premises necessary for the work of the MFWDA;
6. sell, let, mortgage, dispose of or turn to account all or any of the property or assets of the MFWDA;
7. invest the funds of the MFWDA not immediately required in or on such investments, securities or property as may be thought fit by the Executive Board subject to any conditions as may from time to time be imposed by the Executive Board or required by law; and
8. take such lawful action as is necessary or desirable for attainment of the objectives of the MFWDA.
9. **Non-discrimination**

Discrimination of any kind against a Member, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, language, religion, political opinion or any other opinion, wealth, birth or any other status, or any other reason is strictly prohibited and punishable by suspension or expulsion.

1. **Conduct of Bodies and Officials**
2. The bodies and Officials must observe the Constitution, regulations, decisions and Code of Ethics, as may be adopted by MFWDA in their activities.
3. Executive bodies of Affiliates may under exceptional circumstances be removed from office by the Executive Board in approval of the Congress and replaced by a normalisation committee for a specific period of time not more than one (1) year.
4. **Patron and Members of Honour**
5. The Congress may appoint any distinguished person to be the Patron of the MFWDA on such terms as they think fit.

(2) The Congress may bestow the title of honorary president, or honorary member upon any former member of the MFWDA Executive Board for meritorious service to four wheel drive.

1. The Executive Board shall make these nominations.
2. The honorary president or honorary member may take part in the Congress. They may join in the debates but may not vote or hold any office in MFWDA.
3. **Admission, Suspension and Expulsion**
4. The Congress shall decide whether to admit, suspend or expel a Member.
5. Any decision shall be made in accordance with Article 20 of the Constitution.
6. Upon the proposal of the Executive Board, the Congress may (by a two-third majority) suspend or expel any Member from membership of MFWDA on any of the following grounds:
7. the member fail to pay any annual subscription or other amount owing to MFWDA within six (6) month of it becoming due: or
8. the member commits a serious or persistent breach of its obligations as a member;
9. the member neglects or compromises the interests of MFWDA;
10. the member become insolvent; or
11. there is other just cause to expel the Member;

PROVIDED ALWAYS THAT the Member shall be given due notice of any such proposal for suspension or expulsion, as well as of the grounds for that proposal, and shall be given the opportunity to be heard by the congress before any final decision is made in respect of such proposal. Any such decision may be challenged under Article below.

1. The Executive Board may at any time (by resolution of two-third majority) suspend a Member on any of the grounds set out in Article 8(3) pending consideration by the congress at its next meeting. The Executive Board shall give the Member due notice and an opportunity to be heard (by means of written submission, unless otherwise specified by the Executive Board before it make such suspended Member in accordance with Article 45 below.
2. A Member that has been suspended shall not exercise any of the right or benefits of membership of MHC during such suspension. In particular, a suspended Member shall attend meetings of the congress, other than to be heard in accordance with Article 8.3 above. Other Members shall not maintain sporting contact with a suspended Member.
3. A Member that has withdrawn or been excluded from membership cease to be a Member and shall not be entitled to enjoy any of the rights or benefits of membership. Any Application to regain its status as a Member must be accompanied by payment in full of any subscriptions and /or other amounts owing to MHC from its previous period of membership.
4. In cases in action is warranted against a Member but expulsion or suspension would be inappropriate, the Congress (or the Executive Board, subject to ratification by the Congress at its next meetings) has the power to caution or censure a Member, withhold grants or subsidies from a Member, exclude a Member’s team from any Event(s) or Match(es), remove or deny accreditation to officers or other representative of a Member, or take such other action as it deems appropriate, provided that the Member shall be given due notice and an opportunity to be heard before any final decision is made, and any such decision may be challenged by the Member by the Member in accordance with Article 45 below.
5. **Membership**
6. The Members of MFWDA shall consist of Affiliates and Associates Members.
7. Any Club four wheel drive wishing to become a Member of FWDA shall apply in writing to the MFWDA Secretary General.
8. The Association’s constitution or legally valid instrument shall be enclosed with the application for membership and shall contain the following mandatory provisions:

(a) Always to comply with the Constitution, regulations and decisions of MFWDA;

(b) Subjected to the jurisdiction of the Judicial Committee as specified in the Constitution;

1. This article shall not affect the status of the existing Members.
2. A Member may not transfer its membership of the MFWDA to any other body.
3. Any Member may withdraw from membership of the MFWDA at the end of any calendar year provided it has given the MFWDA at least six (6) month notice in writing of such withdrawal. Any monies that it owes to the MFWDA as of the date of withdrawal shall remain due and payable notwithstanding such withdrawal, and if there are not paid in full then the MFWDA may take appropriate action to recover such monies.
4. **Procedure for Application**
5. The Executive Board shall upon recommendation to the Congress to admit or not to admit an Association. The Association may state the reasons for its application to the Congress.
6. The new Member shall acquire membership rights and duties as soon as it has been admitted.
7. **Rights of Affiliates**
8. Subject to other provisions in the Constitution and the applicable regulations, Affiliates have the following rights:

(a) to take part in the Congress;

(b) to draw up proposals for inclusion in the agenda of the Congress;

(c) to nominate candidates for the MHC presidency;

(d) to take part in competitions organised by MHC;

(e) take part in MHC’s assistance and development programmes;

(f) to exercise all other rights arising from the Constitution and other regulations.

1. **Rights of Associate Members**
2. Any Association which help to promote and develop the game of hockey may become an Associate Member of MFWDA.
3. An Associate Member has the same rights as an Affiliate Member subject to the following:

(a) An Associate Member may take part in the Congress but with no such rights to vote; and

(b) Delegates from Associate Member may not become the Office- Bearer of the Governing Council.

1. **Member’s Obligations**
2. Members have the following obligations:
3. to recognise the authority of MFWDA in all matters regarding four wheel drive in Malaysia in accordance with the Constitution;
4. to fully comply with the Constitution, regulations, directives and decisions of MFWDA bodies at any time as well as the decisions of CAS passed on appeal on the basis of Article 48 of the Constitution;

(c) to take part in competitions organised by MFWDA;

(d) to pay their membership subscriptions;

(e) to ensure that their own members comply with the Constitution, regulations, directives and decisions of MFWDA bodies;

(f) to convene meetings of its supreme and legislative body at regular intervals, at least every two (2) years;

(g) to manage their affairs independently and ensure that their own affairs are not influenced by any third parties;

(h) to comply fully with all other duties arising from the Constitution and Standing Orders, Regulations or By-laws.

(i) to inform MFWDA of any international four wheel drive tournament organised by the Affiliate and to obtain sanction from MFWDA if such tournament involve teams from outside Malaysia.

1. Violation of the above-mentioned obligations by any Member may lead to sanctions provided for in the Constitution.
2. Violations of Paragraph 13(1) (h) may also lead to sanctions even if the third-party influence was not the fault of the Member concerned.
3. Any Member of the Executive Board who fails to attend the Executive Board meetings, for three (3) times consecutively without reasonable explanation acceptable by the President shall be automatically removed from the position, and such position shall remain vacant until the next election. Provided that the President may, where it is really necessary for the efficient management of the MHC, appoint any other person(s) to fill in the vacancy until the next election.
4. **Bodies**

(1) The Congress is the supreme and Legislative Body.

(2) The Executive Board is the Executive Body.

(3) The General Secretariat that shall assist the Executive Board in the day-to- day operation of the MFWDA.

(4) Standing and ad-hoc committees – that shall advise and assist the Executive Board in fulfilling its duties. Their primary duties are defined in the Constitution and their composition, function and additional duties are defined in the Standing Orders or By-Laws.

1. **Congress**
2. A Congress may be an Ordinary or an Extraordinary Congress.
3. The Ordinary Congress shall be held every year. The Executive Board shall fix the place and date. The Members shall be notified in writing at least twenty-one (21) days in advance. The notice shall contain:

(a) The agenda;

(b) The President’s report;

(c) The Annual Report;

(d) The financial statements; and

(e) The auditors’ report.

1. The Executive Board may convene an Extraordinary Congress at any time.
2. The Executive Board shall convene an Extraordinary Congress if one-third (1/3) of the Affiliates make such a request in writing. The request shall specify the items for the agenda. An Extraordinary Congress shall be held within one (1) month of receipt of the request and shall be called for that specific request only.
3. The Members shall be notified of the place, date and agenda at least two (2) weeks before the date of an Extraordinary Congress. The agenda of an Extraordinary Congress may not be altered.
4. In any event, the quorum of the Congress shall be two-third (2/3) of the total number of delegates eligible to vote.
5. **Votes, Delegates and Observers**
6. The delegation of each Affiliates shall comprise of one (1) delegates. Each delegate is entitled to one (1) vote. Only the Affiliates present are entitled to vote. Voting by proxy or by letter is not permitted.
7. Delegates must belong to the Affiliates that they represent and be authorized by the appropriate body of that Club. Such authorization shall be notified in writing to the General Secretariat in not less than forty-eight (48) hours prior to the siting of the Congress or any such time as may be approved by the Congress.
8. During their term of office, which shall be from the date appointment until 48 hours before the next election, members of the Executive Board shall not be appointed as delegates for their Club.
9. The President shall conduct the Congress business in compliance with Standing Orders of the Congress.
10. **Candidates for the office of the President and Elected Office Bearers**
11. Only the Affiliates may propose candidatures for the office of the President.

(2) A candidature for the office of the President shall only be valid if supported by a total of at least two (2) Affiliates. Affiliates must notify the General Secretariat, in writing, of a candidature for the presidency at least fourteen (14) days before the start of the Congress, together with the declarations of support of at least two (2) Affiliates for the candidature for the presidency. One (1) declaration of support is required for each candidature of the Elected Office Bearers.

1. The General Secretariat shall notify the Affiliates of the names of proposed candidates of the President at least ten (10) days before the date of the Congress.
2. **Amendments to the Constitution, Regulations and the Standing Orders of the Congress**
3. The Congress is responsible for adopting and amending the Constitution, the Regulations Governing the Application of the Constitution and the Standing Orders of the Congress.
4. Any proposals for any amendment to the Constitution must be submitted in writing with a brief explanation to the General Secretariat by an Affiliate or by the Executive Board. A proposal submitted by an Affiliate is valid, provided it has been seconded in writing by at least another Affiliate.
5. For a vote on an amendment to the Constitution to be valid, a two-third (2/3) of the delegates eligible to vote must be present.
6. Any proposal to adopt or amend the Constitution shall be adopted if approved by three-quarters (3/4) of the delegates present and eligible to vote.
7. For any proposal to adopt or amend any regulations governing the application to Constitution and the Standing Orders of the Congress, a simple majority (more than 50%) of the valid votes cast is required.
8. Any amendment, deletion, repeal, addition or alteration of the Constitution of the Association shall not become operative without the prior written approval of the Sports Commissioner.
9. The Commissioner shall have the power to direct the MHC to amend the Constitution when the need arises.
10. **Agenda and Attendance of Ordinary Congress**
11. The Secretary General Chief Executive Officer shall notify the Executive Board members, Affiliates and other relevant parties of the date of the Congress not less than twenty one (21) days before the said date.
12. The Chief Executive Officer shall draw up the agenda based on proposals from the Executive Board and/or Affiliates. Any proposal or resolution that an Affiliates wishes to submit to the Congress shall be sent to the Chief Executive Officer in writing, with a brief explanation, at least fourteen (14) days before the date of the Congress. The General Secretariat shall notify the Affiliates of the final proposal or resolution at least seven) day before the date of the Congress.
13. The Agenda for the Congress shall include:
14. To receive the President’s address/speech;
15. To receive and discuss the minutes of the previous Congress meeting and matters arising thereof;
16. To receive and deliberate on the report from the Secretary General of MFWDA;
17. To receive Treasurer’s report and Statement of Accounts; and
18. To receive and deliberate on the report of the Chairperson of the various Committees.
19. The following are eligible to attend and vote at the Congress:
20. The Elected Office Bearers (except for the purpose of Article 20).
21. Two (1) delegates, from each Affiliates, each entitled for one (one) vote.

(b) The appointed Office-Bearers of MHC (who are not entitled to vote);

1. Two (2) delegates from each Affiliates, each entitled for one (1) vote;
2. One (1) delegate from the Associate Member who is not entitled to vote;
3. The Chairpersons of the Committees who are not entitled to vote; and
4. Any other persons as may be approved by the Governing Council.
5. The following are eligible to attend but have no voting rights at the Congress:
6. The Appointed Office-Bearers of MFWDA;
7. The Independent Members;
8. Delegate from the Associate Member;
9. The Chairpersons of the Committees;
10. Any other persons as may be approved by the Congress.
11. **Election and Other Decisions**
12. Elections shall be conducted by secret ballot.
13. Any other decision that requires a vote shall be reached by a show of hands or by means of an electronic count. If a show of hands does not result in a clear majority in favour of a motion, the vote shall be taken by calling the roll, members being called in English alphabetical order.
14. A simple majority (more than 50%) of the valid votes cast shall be sufficient for elections, votes and other decisions.
15. Further details of the voting processes and procedures shall be determined in the Standing Orders, Regulations or By-Laws.
16. **Minutes**
17. The Secretary General shall be responsible for recording the minutes at the Congress, the Governing Council, Executive Board and Standing Committee.
18. The Secretary General shall forward the specified documents to the Commissioner within thirty (30) days from the date of the Annual General Meeting. The specified documents are:
19. form of annual returns (PT) prepared by the Office of the Commissioner of Sports Malaysia;
20. the Executive Committee Meeting Minutes which decides on the Annual General Meeting;
21. notice under article 19.1
22. annual General Meeting Minutes;
23. the newest list of Executive Committee;
24. annual Report;
25. annual Financial Report;
26. the newest list of members; and

(i) other documents as ordered by the Commissioner.

1. **Effective Date of Decisions**
2. Unless required under any laws or as may otherwise decide by the Congress, any decisions passed by the Congress shall come into force with immediate effect.
3. **Composition**
4. There shall be established an Executive Board of MFWDA, comprising the following members:
5. Elected Office Bearers - Subject to Clause 24(2) the Office-Bearers of MFWDA that shall be elected by the Congress, comprising:

(i) One (1) President;

(ii) One (1) Deputy President; and

(iii) Five (5) Vice-Presidents (including at least one (1) of the opposite gender). The one with higher number of votes shall be known as Senior Vice-President; and

(iv) The Treasure.

1. The Appointed Office Bearers - The Office-Bearers of MFWDA that shall be appointed by the President are as follows:

(i) Four (4) Independent Members, that criteria of which shall be at the discretion of the President.

(i) Ten (10) Affiliates’ Delegates which are not represented in the office of Vice-President; and

(ii) Two (2) Independent Members.

1. The Officials of MFWDA that shall be appointed by the President:
2. The Secretary General.
3. **Terms**
4. The President shall be elected by the Congress for a period of four (4) years. His mandate shall begin after the end of the Congress which has elected him.
5. The President and members of the Executive Board are eligible for being re- elected subject to the conditions as follow:
6. shall not hold the office for more than twelve (12) years or a maximum of three (3) terms consecutively (whichever is later);
7. are not eligible for election if he has reached the age of seventy (70) years old as at the date of the Congress at which he stands for election or will reach that age within six (6) months thereafter; and
8. once elected, nothing in this clause shall disqualify the position of any person elected herein when he attained the aged of 70 at any time during the term of his office.
9. **Powers of the Executive Board**
10. The President shall convene the Executive Board Meeting.
11. The Executive Board shall be responsible for directing the policy, management and activities of MFWDA and generally for ensuring the performance and observance of the Objects of MFWDA.

(3) The Governing Executive Board pass decisions on all cases that do not come within the sphere of responsibility of the Congress or are not reserved for other bodies by law or under the Constitution or in cases of force majeure.

(4) The Executive Board shall meet at least once in three (3) months or if requested by at least teen (10) members of the Executive Board, the President shall convene it.

1. The Executive Board shall determine the agenda for its meeting. The notice of the meeting and the agenda shall be notified to each member of the Executive Board within fourteen (14) days prior to the meeting. Each member of the Executive Board is entitled to propose items’ for inclusion in the agenda.
2. The Executive Board shall decide the place and dates of the MFWDA event or competition.
3. The Executive Board shall recommend to the Congress for any amendment to the Constitutions, Regulations, Standing Orders and By-Lays of MFWDA and any decision thereof shall be in accordance with Article 18.
4. **Duties of the President**

(1) The President represents MFWDA legally.

(2) The President is primarily responsible for:

(a) implementing the decisions passed by the Congress and the Executive Board through the General Secretariat;

(b) supervising the work of the General Secretariat; and

(c) relations between MFWDA, Members, government and political bodies, other national and international sports organisations, public and private sectors.

(3) Only the President may appoint or dismiss the Secretary General.

(4) The President shall preside over the Congress, the Executive Board and those committees of which he has been appointed Chairperson.

(5) If the President is unable to attend a meeting, a Deputy President or the Senior Vice-President available shall deputise.

(6) If the post of the President becomes vacant or the President is unable to carry out his duties for more than six (6) months consecutively, the senior Deputy President shall assume the post of the President until the next election of the Congress.

(7) In any meeting chaired by the President and whenever votes are equal, the President shall have the casting vote.

1. **Duties of the Deputy Presidents**
2. The Deputy President shall carry out all functions and duties as may be delegated by the President.
3. In the absence of the President or it the event the President unable to carry out his duties referred to in Article 26.7 above, the Senior Vice-President shall carry out all function and duties of president.
4. In the event that the Deputy President has been duly desputised, such Senior Vice-President shall have the same casting vote as the President.
5. **Additional Functions and Powers of the Executive Board**
6. The Executive Board shall meet at least four (4) times a year.
7. The additional function of the Executive Board shall be:
8. To discuss and carry out policies as may be approved by the Congress and the Executive Board;
9. To approve and expend monies that are required to carry out the functions by the Committees;
10. To act and make decision on any matter of urgency for MFWDA and such decision shall be brought to the Congress for ratification;
11. To deal with local bodies and authorities including the government and its agencies or bodies, other sports associations or organisations, Members and sponsors;
12. To appoint and engage any other person, if necessary, to assist the Executive Board in the performance of any of its function;
13. To appoint any member of the Executive Board to attend any meeting of any Committee in his capacity as ex-officio; and
14. To carry out any other functions as may be delegated or directed by the Congress.
15. **Standing Committees**

(1) The Standing Committees are:

(a) Competitions Committee

(b) Development Committee

(c) Finance Committee

(d) Legal and Special Projects Committee

(e) Marketing and Sponsorship Committee

(f) Media and Public Relations Committee

(g) National Team Management Committee

(h) Umpiring Committee

(i) Medical Committee

(j) Judicial Bodies as specified in Article 39.

(2) The Chairpersons of the standing committees shall be from the members of the Executive Board or any other person who has the necessary knowledge, skill and experience in the field as may be recommended by the Executive Board.

(3) Member of the Standing Committee shall be proposed by the Affiliates and approved by the Executive Board and shall have the necessary Knowledge, skill and experience in the field as may be recommended by the Affiliates.

(4) The composition, specific duties and powers of the individual committees shall be stipulated in the Standing Orders, Regulations or By-Laws.

(5) Each Chairperson shall represent his committee and conduct business in compliance with the Standing Orders, Regulations or By-Laws.

(6) Each committee may propose amendments to its regulations to the Executive Board for approval.

1. **Competitions Committee**

The Competition Committee shall organise all national competitions and make recommendation of the appointment of the technical officials for all MFWDA and international competitions to the Executive Board. It shall be responsible for the technical aspect of the competition and may conduct seminars, workshops or any other forms of training for technical officials.

1. **Development Committee**

The Development Committee shall deal with MFWDA development programs, devise and propose appropriate strategic and monitor the support provided to the Affiliates. It shall liaise closely with the Ministry of Youth and Sports of Malaysia and the States Government of Malaysia to coordinate any activities related to Four Wheel Drive.

1. **Finance Committee**

The Finance Committee shall monitor the financial management and advise the Executive Board on financial matters and asset management. It shall analyse the MFWDA budget and the financial statements prepared by the Treasurer and submit them to the Executive Board for approval.

1. **Legal and Special Projects Committee**

The Legal and Special Projects Committee shall analyse any legal issues relating to hockey and the evolution of the Constitution and regulations of MFWDA and special projects as directed by the Executive Board.

1. **Marketing and Sponsorship Committee**

The Marketing and Sponsorship Committee shall advise the Executive Board with regard to the marketing programs and strategic of MFWDA. It shall be responsible in designing, packaging, writing and producing marketing materials including the contents of electronic and social media.

1. **Medical Committee**

The Medical Committee shall deal with all medical aspects of four wheel Drive. It shall put in place an anti-doping structure which is rapidly widened to encompass protection of the health of drivers, respect for both medical and sports ethics and equality for all competing drivers.

1. **Media and Public Relations Committee**

The Media and Public Relations Committee shall deal with the working conditions for the media at MFWDA events and maintain relations with national and international media organisations in furtherance of the development and promotion of four wheel drive in Malaysia and internationally.

1. **National Team Management Committee**

The National Team Management Committee shall function as the liaison with the MAM and other related organisations in the management of national teams at all levels.

1. **Umpiring Committee**

(1) The Umpiring Committee shall administer all matters related to the umpires.

(2) The Umpiring Committee shall govern the standard of umpires by conducting courses, seminars, workshops and examinations, accreditation or evaluation.

(3) The Umpiring Committee shall maintain a register of all qualified umpires and make available qualified MFWDA umpires of various grades to all members.

(4) The Umpiring Committee shall provide guidance for the umpiring services in the four wheel Drive tournaments at all levels organised by MAM, SEAFF and their members respectively.

(5) The Committee shall be responsible for the upgrading of umpires based on their performance and merit.

1. **Judicial Bodies**

(1) The judicial bodies of MFWDA are:

(a) the Disciplinary Committee;

(b) the Ethics Committee;

(c) the Appeal Committee.

(2) The judicial bodies shall consist of a Chairperson, a deputy Chairperson and a specific number of other members. The composition of the judicial bodies should respect the fair distribution of positions and take account of the Members.

(3) The judicial bodies are to be composed in such a way that the members, together, have the knowledge, abilities and specialist experience that is necessary for the due completion of their tasks. The Chairpersons of the judicial bodies shall have legal background and qualified to practise law. The term of office shall be four (4) years. The members may be re-appointed or relieved of their duties at any time, although they may only be relieved of their duties by the Executive Board.

(4) The Chairpersons of both chambers of the Ethics Committee shall fulfil the independence criteria as described in the Standing Orders, Regulations or By-Laws.

(5) The Executive Board shall appoint the Chairpersons of the judicial bodies. The Executive Board shall appoint the Deputy Chairpersons and other members of the judicial bodies which shall be approved by the Executive Board.

(6) If the Chairperson, the Deputy Chairperson or a member of a judicial body permanently ceases to perform his official function during his term of office, the Executive Board shall appoint a replacement to serve until the next Congress.

(7) The responsibilities and function of the judicial bodies shall be stipulated in the Disciplinary Code and the Code of Ethics.

(8) The decision-making powers of certain committees remain unaffected.

1. **Disciplinary Committee**

(1) The functions of the Disciplinary Committee shall be governed by the Disciplinary Code. The committee shall pass decisions only when at least three (3) members are present.

(2) The Disciplinary Committee may pronounce the sanctions described in the Constitution and the MFWDA Disciplinary Code on Members.

(3) These provisions are subject to the disciplinary powers of the Congress and the Executive Board with regard to the suspension and expulsion of Members.

(4) The Executive shall regulate the Disciplinary Code.

1. **Ethics Committee**

(1) The function of the Ethics Committee shall be governed by the Code of Ethics. It is divided into an investigatory chamber and an adjudicatory chamber. The adjudicatory chamber shall take decisions if at least three (3) members are present.

(2) The Ethics Committee may pronounce the sanctions described in the Constitution, the Code of Ethics and the Disciplinary Code on Members.

(3) The Executive Board shall approve the Code of Ethics.

1. **Appeal Committee**

(1) The function of the Appeal Committee shall be governed by the MFWDA Disciplinary Code and the MFWDA Code of Ethics. The committee shall pass decisions only when at least three (3) members are present.

(2) The Appeal Committee is responsible for hearing appeals against decisions from the Disciplinary Committee and the Ethics Committee that are not declared final by the relevant MFWDA regulations.

(3) Decisions pronounced by the Appeal Committee shall be irrevocable and binding on all the parties concerned. This provision is subject to appeals lodged with the Judicial Commission of the MAM.

1. **Sanctions**

The disciplinary measures are primarily

(1) for natural and legal persons:

(a) a warning;

(b) a reprimand;

(c) a fine;

(d) the return of awards.

(2) for natural persons:

(a) a caution;

(b) an expulsion;

(c) social work.

(3) for legal persons:

(a) a ban on playing in a particular activities.

1. **General Secretariat**

The general secretariat shall carry out all the administrative work of MFWDA under the direction of the Secretary General.

1. **Secretarial General**

(1) The Secretary General is the chief executive of the general secretariat.

(2) He shall be appointed as an employee of the MFWDA on the basis of an agreement governed by and subject to contract of employment.

(3) He shall be responsible for:

(a) implementing decisions passed by the Congress, the Executive Board in compliance with the President’s directives;

(b) compiling the minutes for the meetings of the Congress, Executive Board, Standing Committees and Ad-Hoc Committees;

(c) MFWDA correspondence;

(d) relations with the Members and committees, government agencies, public and private sectors, national and international sports associations and organisations;

(e) organizing and managing the General Secretariat;

(f) the appointment and dismissal of staff working in the general secretariat subject to the approval of the President;

(g) signing decisions on behalf of any MFWDA committee, provided that no other ruling exists in the respective regulations.

1. **Finance**

(1) The financial period of MFWDA shall be one (1) year and shall begin on each 1st January in the year.

(2) The revenue and expenditure of MFWDA shall be managed so that they balance out over the financial period. MFWDA major duties in the future shall be guaranteed through the creation of reserves.

(3) The Treasurer is responsible for drawing up the annual consolidated accounts of MFWDA with its subsidiaries as at 31st December.

(4) MFWDA shall maintain one (1) main account which may further constitute distinct management accounts based on their respective purposes.

(5) All cheques drawn on any bank account thereon shall be signed jointly by the Treasurer and the President or any other member of Executive Board the President so delegated.

1. **External Auditors**

(1) A firm of public accountants shall be appointed by the Congress as External Auditors of MFWDA and shall serve for a term of four (4) year. This mandate may be renewed.

(2) The auditors shall audit the accounts as may be recommended by the Executive Board for the Executive Board for approval at the Congress.

**49. Membership Subscriptions**

(1) Membership subscriptions are due on 1st January of each year. The annual subscription for new Members for the year in question shall be paid within thirty (30) days of the close of the Congress at which they were admitted.

(2) The Congress shall fix the amount of the annual subscription every four (4) years on the recommendation of the Executive Board.

1. **Saving provisions**

(1) This Constitution comes into effect at a date as appointed by the Congress. All bodies representing the MFWDA prior to the date of the enforcement of this Constitution shall cease to be in operation unless stipulated otherwise by the Congress.

(2) Notwithstanding the provisions of paragraph (1) above, any rights and liabilities of the MFWDA prior to the date of the enforcement shall be succeeded by the newly constituted MFWDA accordingly.

1. **Dissolution**

(1) MFWDA shall have perpetual succession unless as dissolved in accordance with any written law in force.

(2) Notwithstanding the provision of paragraph (1) above, MFWDA may be dissolved by the Congress with votes not less than three-quarter (3/4) of the number of delegates who are entitled to vote in the Congress. The dissolution comes into effect when all debts and liabilities of the MFWDA are fully settled.

(3) All of MFWDA assets shall be liquidated and used to fully discharge the debts and liabilities of the MFWDA in which the balance or surplus shall be deposited with the MAM.

(4) The Sports Commissioner had prior to its dissolution maintained a membership shall be duly notified of the dissolution.

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