

**TABLE OF CONTENT OF BYLAWS FOR THE MALAYSIAN ORTHOPAEDIC ASSOCIATION (MOA)**  
**(SCHEDULE 1)**

<b>Articles</b>	<b>Abbreviated Title</b>	<b>Page</b>
1.	Malaysian Orthopaedic Association (MOA) Bylaws	3
2.	MOA Bylaws on “MOA Committee”	6
3.	MOA Bylaws on “Bylaws Committee”	8
4.	MOA Bylaws on “Fee Schedule Committee”	10
5.	MOA Bylaws on “Human Resources Management Committee”	12
6.	MOA Bylaws on “Staff Employment and Management”	14
7.	MOA Bylaws on “Management of Industry Sponsored Educational Grants”	21
8.	MOA Bylaws on “Special-Interest Group (SIG) Funding”	27
9.	MOA Bylaws on “Protocol for Expenditure of SIG Funds”	29
10.	MOA Bylaws on “President Travel”	30
11.	MOA Bylaws on “Office Bearers”	33
12.	MOA Bylaws on “Minutes of the Council Meeting”	37
13.	MOA Bylaws on “Membership”	39
14.	MOA Bylaws on “Council Meeting”	40
15.	MOA Bylaws on “Berita Ortopedik (Orthopedic Newsletter)”	42
16.	MOA bylaws regarding “Information Technology Committee” under the Malaysian Orthopaedic Association	44
17.	MOA bylaws regarding “Donation, Contribution, Gift or Support from MOA to Any Entity” under the Malaysian Orthopaedic Association	46

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18.	MOA bylaws regarding “Past Presidents” under the Malaysian Orthopaedic Association	48
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**\*\*The Bylaws for MALAYSIAN ORTHOPAEDIC ASSOCIATION (MOA) is hereby updated as of 30<sup>th</sup> of August 2024 (Version 1.2).**

# 1. Malaysian Orthopaedic Association (MOA) Bylaws

## ***Pre-amble***

The Malaysian Orthopaedic Association (MOA) is an entity established as a society in Malaysia under the Malaysian Societies Act of 1966 and has been established as a body that represent the orthopaedic community in Malaysia since 1967. The society's establishment is based on a constitution of which form the rudimentary basis of how the society is governed. However, as this society becomes more complex in its operations, many details of its operational matters including but not limited to policies, daily decisions, best practices, its premise of intentions and the general direction have been vague and not based on solid foundations or principles. A complete set of documents that regulate or, the very least, allow for set principles to guide the governance of MOA is therefore warranted. The documents must also not be easily altered, dismissed, ignored or loss from memory/records in order for MOA to be governed with the best interest of its members, and at the highest level of transparency, consistency, and prudence. Bylaws are therefore established for the above reasons and created with the best interest of all stakeholders, especially of MOA members and the Malaysian community in mind.

## ***The source of authority for the bylaws***

These bylaws are documents that establish(es) rule(s) and/or instruction(s) that were first inaugurated by the MOA Council of 2022/2023 and contains information necessary to form the earliest foundation for systematic documentations of official policy documents to created; thereby allowing for future bylaws to be enacted. The bylaws have been recorded at the 53<sup>rd</sup> MOA Annual General Meeting and thereafter passed to the Bylaws Committee (or abbreviated as the "Committee") to be managed further. Further to this, any amendments, changes, addition, etc. to the Bylaws will be done by this Committee. The Bylaws Committee would therefore receive its authority to introduce, enact and order for the execution of the bylaws by the authority granted from both the Council and of the members (through the Annual (AGM) and Extraordinary General Meeting (EGM) ).

## ***Content of the bylaws***

Bylaws are official documents created in a specified manner to establish rules and instructions that would set the direction and/or provide guidance on the governance of MOA.

The bylaws are herein written to reflect:

1. The general policies of MOA,
2. MOA's intended administrative direction,
3. MOA standard operational process & procedures, or/and
4. Other official documents such term of references that can be used as a reference material to direct the effective management of MOA.

The bylaw document contains a title, a pre-amble (stating the objectives and/or reason(s) to instituting the bylaw) and the operational content of the bylaw itself expressed clearly with minimal ambiguity.

These bylaws that has been accepted and in operational (to be known as "enacted") will be listed in Schedule 1, and updated as and when new bylaws are endorsed by the Bylaws Committee, of which to be followed by the agreement of the MOA council to be enacted. The bylaw(s) is/are arranged in accordance to as and when these are introduced/enacted. Each document will be referred to as **Article(s)** and numbered in running sequence.

#### ***The process of instituting new bylaw(s)***

The MOA Council has the absolute discretion to propose bylaw(s) to be introduced at any time. Members can propose new bylaw(s) for MOA council to consider either in writing or, by virtue of vote or decision in an Extraordinary (EGM) or Annual (AGM) general meeting(s) of which to the Council shall be instructed to propose new bylaw(s). Together with the proposal, the MOA Council shall produce a draft of the new bylaw(s) to the Committee prior to being tabled at the Bylaw Committee meeting(s). The Bylaws Committee (please refer to the document entitled MOA bylaws on "Bylaws Committee") is the only entity that has the authority to study, draw-up, alter, improve and establish newly proposed bylaw(s). A bylaw can only be enacted when the final version has been endorsed by the ByLaws Committee and, presented and agreed to be enacted by the MOA Council.

#### ***The amendment, rectification, or revocation of existing bylaw(s)***

The Bylaws Committee (please refer to the document entitled MOA bylaws on "Bylaws Committee") is the only entity that has the authority to amend, rectify or revoke any bylaw(s) (to be known as "Changes") but, only when these are officially requested in writing (such as from an excerpt of the minutes of council meeting) from the MOA council. Together with the request, the MOA Council shall produce a draft of the Changes to the Committee prior to being tabled at the Bylaws Committee meeting(s) for deliberation/consideration. Members can suggest or demand for these to be done through formal request, or by voting at an AGM or EGM for the Council to propose Changes. The Bylaws Committee has within its discretionary

powers to accept or reject any proposed Changes. In the event that the Committee does not agree to any request(s), such bylaw(s) would remain enacted and unchanged. A motion to re-introduce Changes to recently deliberated bylaw(s) can only be considered after a “cooling-off period” of 6 months from the date the decision was made by the Bylaws Committee.

## 2. MOA bylaws on the “MOA Committees”

### ***Per-amble (Objective):***

The Malaysian Orthopaedic Association (MOA) is an active society that requires many operational matters to be conducted as part of its activities. These requires many levels of involvement of members and has to be officially granted limited powers extended by the Council in order for them to be effective. The setup of committee(s) under the MOA Council would be the best method to achieve this whilst involving more members of MOA to be involved in enhancing the function of MOA. To ensure good governance is practiced without ambiguity and with clear direction, a proper documentation and process of establishing committee(s) detailing their function would be necessary. The present bylaw is thus introduced for the above reasons.

### ***Definition:***

1. Council: Refers to the group of council members elected into the position at an MOA annual general meeting as described in MOA constitution of 1967.
2. Committee: A group of individuals who are appointed as members of a team that would function within the limits of the description by Council.
3. Bylaw Committee: A group of individuals made up of members, council and Past-presidents of MOA who are tasked to maintain, preserve, establish, Change, endorse and enact a bylaw.
4. Schedule 2: A list containing all Committee(s) still actively functioning under the MOA.

### ***Bylaws***

1. Committees shall be established by the Council as and when required EXCEPT for the Bylaw committee as described in section for “MOA Bylaw Committee”.
2. The process of establishing committee (except for the Bylaws Committee) shall follow these sequence:
  - a. Council shall deliberate and agree on the formation of a Committee whose function shall be decided at the Council meeting.
  - b. The decision shall be minuted and the excerpt of this minute together with draft of bylaws describing the term of reference of the Committee to be forwarded to the Bylaws Committee to be enacted.
  - c. Upon the agreement of both the Bylaws Committee and Council on the final draft of the bylaw, the bylaw shall be enacted and the committee would be activated.
3. Committee(s) that are active and recognized as part of MOA where the bylaw has been enacted shall be listed in Schedule 2 and update as and when required.
4. The content of the bylaw describing the Committee(s) shall be the complete term of reference for any Committee(s).

5. The process of selection, powers permitted, the termination etc. of Committee(s) shall follow the term of reference in the respective bylaw mentioned in item 3.
6. Council shall be responsible to select, appoint, convey the function of the Committee to its members, monitor and to ensure that Committee(s) shall function as its intended purpose(s).

## **SCHEDULE 2**

1. Bylaws Committee
2. Human Resource Management Committee
3. Fee Schedule Committee
4. Educational Grant Selection Committee
5. Berita Ortopedik
6. Building Committee
7. Information Technology Committee

### **3. MOA bylaws on the “Bylaws Committee”**

#### ***Per-amble (Objective):***

The Malaysian Orthopaedic Association (MOA) was established in 1967 and has since served its members and the public with distinction. From its humble beginnings, MOA has expanded in size and function rapidly and in doing this, become operationally more complex. To date, the only official governance document is based on a constitution, that lacks details on performing complex operations or provide guidance for best decision(s). The decision to establish a formal document known as the “Bylaw” was thus introduced by the MOA council of 2022/23 to provide official and referable documents that would set the standards of operation(s) for MOA. These allow for good governance to be practiced in MOA. These documents however, needs to kept, managed, maintained and enacted by a separate entity than the Council to ensure transparency and of the balance of power in its execution. For this purpose, a Bylaw Committee was setup to provide such function(s). The Bylaw Committee is also tasked to ensure that bylaws remain in place, preserved and enacted appropriately for the benefit of MOA stakeholders, especially for its members.

#### ***Definitions:***

1. Bylaw: Bylaw(s) are official document(s) created in a specified manner to establish rules and instructions that would set the direction or provide guidance on the governance of MOA.
2. Bylaw Committee (Committee): A group of individuals made up of members, council and Past-presidents of MOA who are tasked to maintain, preserve, establish, Change, endorse and enact a bylaw.
3. MOA council (Council): The council established under the MOA constitution of 1967 and still active in office.
4. Changes in the constitution (Change): Refers to the act of amending, rectifying and revoking any existing bylaw(s) by the Committee.
5. Active MOA member (Member): Refers to registered active member of good standing in MOA as described in the MOA constitution of 1967.

#### ***Bylaws***

1. A committee of 5 members shall form the Committee.
2. The Committee shall comprise of:
  - a. A Chairperson
  - b. 2 members who are Past-presidents of MOA
  - c. An appointed representative member from Council
  - d. 3 Members of good standing



3. Each Committee member shall hold one vote, including the chairperson.
4. The Chairperson shall be appointed, from amongst the Past-presidents of MOA, by the President of MOA for a period of 3 years and is selected based on the recommendation of the majority of MOA Past-presidents.
5. The Chairperson shall appoint the remainder of the Committee members based on the recommendation of the Council for a period not exceeding that of his/her term of appointment.
6. The MOA Secretariat shall serve as the secretary for this Committee.
7. The Committees' functions are to:
  - a. Establish new bylaw(s) when proposed by Council.
  - b. Preserve bylaw(s) that has been enacted.
  - c. Make Changes to the bylaw(s) as and when requested by the Council (only if the Committee agrees to these Changes)
  - d. Endorse new bylaw(s) and to obtain agreement from Council to enact new bylaw(s).
  - e. Ensure that bylaw(s) are with clarity, prudence, just, fairness and enacted to the best interest of MOA stakeholders, namely its Members.
  - f. Ensure that the bylaw(s) are made readily available for its Members to refer with due transparency, trust and efficiency.
8. The Committee shall within its power to:
  - a. Decide on establishing (a) new bylaw(s) upon receiving proposal(s) from Council.
  - b. Decide on the method of study, writing, documentation, and finalization of any new proposed bylaw.
  - c. Decide on the appropriate means to use resources from MOA to uphold its function as stated in item 6.
  - d. Decide on engaging assistance outside of MOA in order to perform their function.
  - e. Decide on whether to make Changes to existing bylaw(s) that are requested by Council.
  - f. Raise any issues in the execution of any enacted bylaw(s) to Council.
  - g. Take any necessary action(s) that are within the right(s) of any Member as stated in Malaysian Law, especially that relating to that Societies Act 335 (1966).
9. All decisions relating to the function of this Committee shall undergo the process of voting, with majority vote accepted as the absolute decision of the Committee.
10. The Chairperson and/or the Committee cannot be dissolved/dismissed/removed until their term ends. These however can be implemented prematurely through a voting exercise by MOA Members following a fair deliberation at an AGM or EGM.
11. Committee member(s) may choose to resign from their appointment(s) at any time by officially writing to Council. This will take effect immediately of which the Council has 60 days from that time to have a replacement person appointed into the vacant position.

## 4. MOA bylaws regarding “Fee Schedule Committee” under the Malaysian Orthopaedic Association

### ***Preamble (Objective):***

The “Fee Schedule Committee” has been established in response to an increased demand to have MOA represent the society’s field of expertise and specialty in Orthopaedics and Musculoskeletal Sciences by the relevant industries as well as body of authorities in Malaysia. The Committee is responsible to represent MOA and become the voice that represents the society’s interest within these relevant areas.

### ***Definitions:***

1. MOA Council: The residing council who manages the association as described in the CLAUSE 8 of the MOA constitution.
2. SIG or “Specialist interest group”: Is a group established under MOA that is meant to lead specific interest or better known as sub-specialities of Orthopaedics.
3. Chairperson: The person appointed by the MOA council to lead the Fee Schedule Committee.

### ***Bylaws***

1. The Fee Schedule Committee shall be led by a Chairperson appointed by the MOA council for a period of 3 years.
2. The MOA Fee Schedule Committee consists of up to 12 members, including the Chairperson. They will be divided into 2 groups:
  - a. The Core Group – Chairperson & 2 Deputies.
  - b. The Subspecialty Group – representatives of the Orthopaedic subspecialties who are appointed as the SIG head.
3. The Chairperson is answerable to the MOA council and is responsible for the organization, management and, the activities of these committees (mentioned in subsection 3).
4. Chairperson shall report to the council of the committee activities at least 3 monthly.
5. The Chairperson is tasked with identifying the remaining Core and Subspecialty Group members, and to ensure that the members perform their function well, taking into account the best interest of MOA members, Bahagian Amalan KKM and insurance companies in formulating and updating the KKM Fee Schedule and other issues (such as disputed charges). The Chairperson shall inform the Council the names of the suggested members, and the appointment shall be made by the President of MOA.
6. **The Terms of Reference for the Core Group are:**

- a. To serve the committee for an appointment period of 3 years.
  - b. Act as a point of contact with all stakeholders in matters pertaining to the KKM Fee schedule.
    - i. The stakeholders are:
      - Bahagian Amalan, KKM
      - Insurance bodies/companies
      - Orthopaedic subspecialty groups – via this committee in MOA or the respective associations
    - ii Matters related to the KKM fee schedule includes (but not limited to):
      - Drafting, updating, and correcting KKM fee schedules (current and future) in collaboration with all stakeholders.
      - Preparation and presentation of suggestions and drafts in the format required by Bahagian Amalan KKM.
7. In cases of dispute of fee charges forwarded to the Core Group by the various stakeholders, this group is tasked to review the dispute, with an expert in the subspecialty concerned if necessary, and provide recommendations to the stakeholders involved.
8. **The Terms of Reference for the Subspecialty Group are:**
- a. Appointment period: yearly
  - b. To assist the Core Group in updating, correcting, and drafting of KKM Fee Schedule in the format required by Bahagian Amalan KKM.
  - c. To convey matters of interest related to the KKM Fee Schedule between their respective subspecialties and the Core Group.
  - d. To facilitate the Core Group in matters pertaining to dispute of fee charges – This includes either being part of the ad-hoc review subcommittee or to recommend a suitable expert who can advise on such matters.
9. The Council reserves the right to amend, replace the members, or disband the committee at any time without prior notice or reason; of which the duties and responsibilities would instantly be transferred to the Council.

## 5. MOA bylaws on the “Human Resource Management Committee”

### ***Per-amble (Objective):***

With increasing number of staff in the Malaysian Orthopaedic Association (MOA), there is a need to better manage human resources and handle issues that may arise as situations become increasingly more complex. Whilst the main operations of the MOA is handled by the MOA Council, an independent body that assist and provide a check-in-balance in the decisions involving staff to ensure that fair, appropriate and guided decision are made. This bylaw entails the term of reference of this committee which is referred to as the “Human Resource Management Committee”.

### ***Definition:***

1. Human Resource Management Committee (HRMC): A committee set up by MOA to ensure that MOA Council receives assistance, support and guidance in the pursue of decision(s) and action(s) relating to the management of staff matters.
2. Council: Refers to the group of council members elected into the position at an MOA annual general meeting as described in MOA constitution of 1967.
3. Staff: Full-time or part-time employed individual(s) under MOA to perform the daily function(s) and activities.
4. President: The President of MOA who at the time heads MOA.
5. Past-President: An Individual who has been elected as President of the MOA before, completed his/her term in office and no longer serves on Council.
6. Chairperson: An individual who has been selected from Past-Presidents by Council.

### ***Bylaws***

1. The Council shall setup an HRMC whose function shall include:
  - a. To work closely with Council in the administration and management of matters related to Staff.
  - b. To form a body that provide a check and balance in the decision(s) made by Council.
  - c. To ensure that the decisions made in the management of staff adhere to the standards and principle guided in bylaws.
  - d. To make the earliest and quickest deliberation following a request or recommendation made by Council.
  - e. To ensure that decision(s) or recommendation(s) to Council are conveyed the soonest and fastest to the Council for further action.
  - f. To ensure that all matters are handled in the best manner following the highest principle of fairness, objectivity and transparency.

2. HRMC shall comprise of:
  - a. A Chairperson appointed by Council who is a Past-President
  - b. Two (2) members amongst the Members of MOA
  - c. A selected member of representative from Council
3. Council will appoint a Chairperson who will in turn appoint other HRMC members through Council.
4. HRMC provides deliberation and assist Council in providing opinion regarding staff management in order to provide consistent and sound practices.
5. Decisions on split deliberation in HRMC is resolved by a simple majority vote. In an event of a no decision is made following a vote, the Chairperson has at his/her sole discretion to make the final decision.

## 6. MOA bylaws on “Staff recruitment and management”

### ***Per-amble (Objective):***

With the Malaysian Orthopaedic Association (MOA) becoming more complex in its operations, requiring many staff at many levels to be employed, there appears to be a need for a proper system of management that provides more effective and efficient means of delivering staff productivity. The present bylaw provides an overarching plan and directions for the abovementioned objectives.

### ***Definition:***

1. Staff: Full-time or part-time employed individual(s) under MOA to perform the daily function(s) and activities of this organization.
2. President: The President of MOA who at the time heads MOA.
3. Council: Refers to the group of council members elected into the position at an MOA annual general meeting as described in MOA constitution of 1967.
4. Candidate: An individual who has been identified to be a potential staff for MOA and has registered their interest officially.
5. Proxy: An individual who has been tasked and given the authority to carry on a specific action on the Council’s behalf through written official instructions.
6. Human Resource Management Committee (HRMC): A committee in charge of matters relating to human resources employed by MOA whose term of reference is described in the MOA bylaws on “Human Resource Management Committee”.

### ***Bylaws***

1. MOA shall employ Staff to conduct its activities and shall be located at MOA office (at the present time addressed at “Unit 4.4, Level 4, Medical Academies Malaysia. No. 5, Jalan P8H, Presint 8, 62250 Putrajaya”)
2. A maximum of 5 full-time Staff may be employed at any time consisting of:
  - a. Executive Secretary
  - b. Finance administrative assistant
  - c. General administrative assistant
  - d. Malaysian Orthopaedic Journal Editorial Secretary (2 positions)
3. Staff employment shall be done by the council and upon the release of excerpts from the minutes of Council meeting confirming the agreement on the employment of a Candidate.
4. Council shall work with the Human Resource Management Committee (HRMC) in the management of matters relating to staff.
5. The process of employing a Candidate shall follow the below process in sequence:
  - a. Advertisement of a position shall be done using a selected method of choice by Council.

- b. Potential Candidate(s) shall indicate their interest officially for the advertised position.
  - c. An interview process shall be undertaken by select Council members (or an appropriate Proxy).
  - d. The results of the interview shall be conveyed to the Council at the nearest Council meeting.
  - e. The results shall be minuted and based on the excerpts, the administrative staff identified by Council shall draft an offer letter to the Candidate.
  - f. The base salary and/or any allowances shall follow an appropriate value prescribed in Schedule 4. This value shall be agreed upon in writing by the HRMC before an offer letter can be drafted.
  - g. The President shall review the drafted offer letter and approve the final offer once all documentations are in order.
6. New staff shall be given a one month trial employment followed by an employment contract for a minimum of 1 year (if his/her performance deemed satisfactory by the Council). Thereafter she may be considered to be offered a permanent position. The benefits of different levels of employment is described in Schedule 3.
7. Council may confirm a Staff in service after demonstrating work for 3 years satisfactorily. The benefits of confirmation status is described in Schedule 3.
8. The Staff shall be employed on a salary scale based on the positions mentioned in item 3 and in accordance to Schedule 4.
9. Staff shall be responsible primarily to the President, and secondarily to Council.
10. In case(s) where issue(s) warranting further action relating to administrative matters involving Staff including but not limited to disciplinary issues, insubordination, performance, remuneration, extended leave from work etc. Council shall inform for this/these issue(s) and provide their suggestion(s) (if any) on how to deal the matter(s) officially to HRMC. HRMC would then deliberate the matter and recommend to Council of their suggestion(s). Council shall take the recommendations by HRMC into full consideration when taking further action on Staff.
11. Staff may be terminated if deemed unfit for whatever reason(s) by Council, however this recommendation needs to be officially conveyed to the HRMC with the reason(s) and/or evidence asserted. HRMC shall be an independent body whose tasks are to weigh the evidences and of the request made by Council, either to accept the recommendation of the Council or return HRMC deliberations for Council to reconsider their opinion. If HRMC accepts the recommendation, a letter entailing the details of the termination shall be issued by HRMC for Council to take further action.
12. For Staff employed under contract or on permanent status, Council may choose to terminate his/her employment giving notice of 1 month period or to compensate staff with 1 month salary at a minimum notice period of 24hours.
13. Staff may choose to resign from his/her position with a minimum period of 1 month notice, or choose to compensate 1 month of his/her salary to MOA for a minimum period 24 hour termination.
14. Staff may work on sites away from MOA office with written instructions from the President/Council.
15. Staff appraisal (refer to appendix 1 below) shall be done before the end of Council term of which the recommendation of the remuneration or salary increment shall be forwarded to HRMC for consideration.

16. Salary increment shall be based on the prescribed amount in Schedule 4 and due as per mentioned in the offer letter to staff.
17. Decision on any increment shall be informed by Council after the deliberation and decision by HRMC.
18. Incentives and other non-recurring monies being given to Staff as reward or incentive, in the form of cash or in-kind, is at the discretion of the council and does not require HRMC approval. This however, cannot exceed a total amount of RM 3,000 per Staff for an entire Council term. This also does not include travel expenses involving official work, which includes travel, taxes, accommodation, food allowance etc.
19. Bonus payments is up to the discretion of the present council but must not exceed the total amounting to one month average salary for the year for the staff per Council term.
20. **General Role and Job description of MOA Staff (But not limited to those listed below)**

**Executive Secretary:**

1. Day to day administration of the association and is responsible to all operations to be performed without fail.
2. Reply all emails sent to the association within 3 working days (after council input if necessary).
3. Main coordinator and oversight of all operations, events and programs organized by the council.
4. Keep a comprehensive record of all meeting minutes of the council.
5. To monitor MOA social media, website and ensure all information is updated and correct.
6. To post on MOA social media and messaging platforms regularly on event updates of the association.
7. To coordinate membership application and database and all other matters related to membership.
8. To oversee the accounts officer and ensure that bank statements and cash flow of the association is in order.
9. To prepare monthly administrative reports during council meetings.
10. To ensure that every council member is aware of all forms of communications related to the association, e.g. emails, social media messages, etc.
11. Other duties that are deemed fit by the President and/or Council.

**Finance administrative assistant:**

1. Manage all matters related to accounts, finance and/or assets relating to MOA.
2. Keep a record of all bank statements and cash flow in and out of the association.
3. Prepare monthly reports of the association's accounts during council meetings.
4. Prepare payroll, statutory requirements (EPF, SOCSO, PCB & Company Taxation).
5. Process claims by members, SIG, or council members within 7 working days.
6. Ensure tax returns are filed on time.
7. Advise the President on all matter relating to (1) and advise the President and/or Council on any issues or matters of importance.
8. Other duties that are deemed fit by the President and/or Council.

**General administrative assistant**

1. To assist the executive secretary in all matters.



2. Delivery and despatch duties.
3. Administrative duties (up to required competent levels) involving logistics, data management and storage.
4. Keeping the registry and updated payments for membership.
5. Other duties that are deemed fit by the President and/or Council.

**21. IMPORTANT NOTES:**

1. Staff are expected to **perform all instructions and actions above and beyond that which has been listed above**, as per deemed fit by the President of MOA and/or the Council within the scope of work related to MOA's operation and interest.
2. Staff who do not follow or adhere to any instructions, orders or work assigned by the President and/council shall be subjected to immediate disciplinary action and/or termination.
3. Staff who fail to perform task(s) assigned or demonstrate incompetency or inability to perform assigned task(s) by the President or Council shall also be subjected to disciplinary action and/or termination.

### Schedule 3

**Table 1**

<b>Benefits</b>	<b>Trial employment</b>	<b>Contract Position</b>	<b>Permanent position</b>
<b>Base Salary</b>	Yes	Yes	Yes
<b>Bonus</b>	No	Discretion of Council.	Yes
<b>Salary increment</b>	No	No	Yes
<b>Renewal of employment</b>	No	Discretion of Council at end of contract.	Yes
<b>Annual leave</b>	No	8 days annually to be completed before end of contract period with no compensation for unused leave.	Yes. Based on Malaysian Labour law.
<b>Other leave entitlement</b>	No	No	Yes. Based on Malaysian Labour law.
<b>Medical Benefit</b>	No	Yes	Yes
<b>SOCSSO/EPF</b>	No	Yes	Yes
<b>Annual excursion to MOA Annual Scientific Meeting</b>	Discretion of Council	Discretion of Council.	Yes
<b>Termination of employment</b>	Either party to terminate immediately without need of notice.	Either party to terminate with notice as mentioned in item 13.	Either party to terminate with notice as mentioned in item 12 and 13.

**Table 2**

	<b>Full time employment</b>	<b>Part time employment</b>
<b>Status of employment</b>	Contract/Permanent position	Contract position only
<b>Salary</b>	Based on monthly agreed value	Based on daily per hour rate of an agreed value
<b>Benefits</b>	As per table 1	Not applicable

#### ***Benefits of Confirmed Staff:***

In addition to the benefits of Permanent Position, either party may choose to terminate Staff employment with notice as described in item 11 and/or 13.

#### **Schedule 4**

Candidate to be employed has to fulfil the following criteria:

1. Malaysian only for permanent position.
2. Age of no less than 18 years at the time of employment.
3. Possesses the necessary qualification(s) and ability to perform the job that entails the required job description.

#### ***Executive Secretary***

\*Salary is based on N32 government Scheme.

Minimum Salary: RM 2,884

Maximum Salary: RM 6,256

Annual increment: RM 155

#### ***Finance administrative assistant***

\*Salary is based on N29 government Scheme.

Minimum Salary: RM 1,493

Maximum Salary: RM 5,672

Annual increment: RM 145

#### ***General administrative assistant***

\*Salary is based on N22 government Scheme.

Minimum Salary: RM 1,352/ RM 2,252

Maximum Salary: RM 4,003/ RM 4,693

Annual increment: RM 100 / RM 115

#### ***Malaysian Orthopaedic Journal Editorial Secretary***

\*Salary is based on N29 government Scheme.

Minimum Salary: RM 1,493

Maximum Salary: RM 5,672

Annual increment: RM 145

Fixed/ Variable Allowances: Staff may choose to have full salary with or without allowances. This will be clearly stated in their letter of offer/employment.

Fixed Allowances that may be offered at the discretion of Council (only if staff have not waived this option in their letter of offer/employment):

1. Transport allowance (maximum 15% of base salary)
2. Housing allowance (maximum 10% of base salary)
3. Living allowance (maximum 8% of base salary)

\*NOTE THAT THE SALARY SCHEME USED DOES NOT REFLECT MOA ADOPTION OF TOTAL GOVERNMENT SECTOR CRITERIA FOR EMPLOYMENT. MOA MERELY USES THE SALARY SCALE TO ENSURE THAT A REFERENCE POINT OF ANNUAL INCREMENT AND MINIMUM/MAXIMUM SALARY FOR STAFF BEING EMPLOYED FOR THE JOB REQUIREMENT OF MOA. SALARY SCHEME WOULD BE REVISED ACCORDINGLY IN ACCORDANCE TO NEW GOVERNMENT SALARY SCHEME THAT CHANGES FROM TIME TO TIME.

## 7. MOA bylaws on the “Management of Industry Sponsored Educational Grant”

### ***Per-amble (Objective):***

With the implementation of newer laws, regulations and procedures relating to the use of funds by medical industries to sponsor healthcare providers (HCP), it is observed that in recent years that there is a need to change the way HCP receive educational/traning benefit(s) from industry sponsored grants. Regulatory bodies and even societies such as APACMED have insisted that a new standard for ensuring transparency and better governance of industrial sponsored grants are used. This is to ensure that fair and just practices are done when funds are distributed to HCPs. Industries are no longer allowed to sponsor HCP(s) directly but are required to obtain the services of an independent body that would undertake the responsibility of ensuring fairness and due diligence is done in distributing their sponsorships. In response to the these needs, MOA is required to create a system of management for industry sponsored education grant of which a bylaw is hereby instituted to ensure that the above objectives are met.

### ***Definitions:***

1. Industry Sponsored Educational Grant (IEG): This is a specific grant allocated for the use of educational purpose of unrestricted nature which can be used for a variety of reasons/occasions specified in a separate document.
2. Industry educational fund (XEF): Is a virtual sub-account under the designated bank account determined by MOA council that contains the IEG(s). A specific name of an XEF shall be provided as a pre-fix to the named fund based on the sponsoring entity. For example, if the sponsoring entity is *Pfizer*, the fund shall be named *e.g. Pfizer Educational Fund*.
3. MOA Education Grant Selection Committee (EGSC): The committee is the group comprising of members of the MOA specified in the bylaws entitled “Educational Grant Selection Committee”.
4. MOA secretariat: The appointed executive in MOA by the MOA council who is charged to manage the operations of MOA.
5. Healthcare Provider (HCP): Any individual(s) who practices or are involved directly in providing patients receiving medical care.
6. Continuous Medical Education (CME): Any program, event, gathering, workshop or any other form of educational activities that may be done physically or virtually, over any duration of time that will benefit the participant in improving their knowledge, skills or qualifications.

## **Bylaws**

1. IEG is setup with the following objectives:
  - a. To support the relevant industry that wishes to ensure that HCP receive educational grant support.
  - b. To facilitate HCP with the relevant industry to obtain their CME in its many (and unrestricted) forms.
  - c. To select the appropriate candidate(s) who fulfil the grant requirements and award these individual(s) accordingly.
  - d. To ensure that fair, transparent and efficient method of selection of fund disbursement are done for the IEG.
2. The process of management of IEG shall follow the document entitled “**Standard operating procedure for the application and management for Industrial Education Grant or Funds by the Malaysian Orthopaedic Association.**” (See Below)
3. MOA shall charge 30% of the total allocated grant to be disbursed as a management fee to cover the cost of administration and government taxes.
4. All funds granted and transferred to the IEG and/or XEF is final and cannot be reversed. Industries or entities no longer has any rights to request or determine the fate of the monies transferred once these are under the care of MOA.
5. An IEG can only be used specifically for its intended purposes and can only be altered if agreed upon by the sponsor(s).
6. MOA Council shall ensure that the IEG shall be protected from being used outside its intended purpose.
7. The IEG is the responsibility of the MOA Council and as such, the council reserves the right to determine the process and management of the IEG at any time including (but not limited to) halting the process of award or reversing the decision of the EGSC with causable reasons.
8. In the event that the EIG and/or XEF is no longer relevant or does not provide any further function, the MOA Council reserves the right to dissolve the fund and use the fund where they see fit. This however, can only be done upon either:
  - a. The sponsoring industry/entity agrees to dissolve the EIG or XEF or both.
  - b. Upon 3 official written requests that is not replied or addressed by the sponsoring industry/entity. These requests shall be sent sequentially of a minimum 2 months apart stating for either of EIG or XEF to be dissolved.

## **Standard operating procedure for the application and management for Industrial Education Grant or Funds by the Malaysian Orthopaedic Association.**

1. Application letter for the amount and purpose for educational grant to be sent to the industry partner (template document 1)
2. To receive reply of acceptance by the industry with the funding confirmed into MOA bank account (template document 2). This amount received is now termed “Industry Sponsored Education Grant (IEG)”.
3. In order to further manage an IEG from an industry, an industrial fund specific to the sponsoring industry must first need to be established. This is achieved by creating a virtual sub-account under the designated bank account determined by MOA council. The sub-account will be referred to “ xxx educational fund” (xxx to denote the name of the industry that has provided MOA with the IEG) and to be generally known herewith as XEF. For a named example of a specific industry fund: if the sponsoring entity is *Pfizer*, the fund shall be named *e.g. Pfizer Educational Fund*.
4. The documents pertaining to the term of reference for the use of the IEG will need to be pre-determined first by the MOA Council, by ensuring that a form filled up and approved, prior to the IEG being managed and disbursed (template document 3)
5. The acknowledgement of the documents stated in item 4 shall be done and its operational content managed by the MOA Education Grant Selection Committee or to be referred to the “Committee” (Please refer to the “Bylaws on the MOA Education Grant Selection Committee”).
6. The authority of the Committee is limited within the scope described in document 3 mentioned in item 4.
7. The MOA Secretariat shall be responsible to keep track of the IEG within the XEF and, to update both the Committee and MOA Council accordingly.
8. The Committee shall ensure that due process is undertaken and that approval of the selection of the recipients(s) and disbursement of the grants is within the limits of terms and criteria set therein. The Committee shall not include any other criteria or terms or predilect in their decision of award or disbursement approval.
9. The applications for the educational grant from industries, the operational process that is outside the terms of the Committee & of the documents management and, the announcement of the availability of the grant/fund to MOA members (or other targeted group(s)) shall be the responsibility of the MOA Council.
10. The MOA Secretariat must ensure that the decision of the Committee shall be conveyed to the President of MOA of which he/she shall make the final approval to disburse the funds expeditiously based on the approval of the Committee.
11. The Council shall be informed by the Secretariat of all decisions and of the operations relating to the management of the funds at least 3 monthly, and/or as per need basis at every closest council meeting where any amount of monies are disbursed from the Funds.

**<Template Document 1>**

<XXXXXX>

<INDUSTRY>

DATE

Dear Sir/Madam

**RE: Request for industry sponsored education grant for xxxxxxxx <\*NAME OF EVENT\*>**

We refer to the matter above.

The Malaysian Orthopaedic Association (MOA) hereby request that your company sponsor an education grant for the above-mentioned event that entails the following:

1. Title of grant:
2. Number of recipients to be sponsored:
3. Description of this grant:
4. Purpose of grant:
5. Expenses covered under this grant:
6. Total value of the grant (including 30% management fee for MOA):

The MOA, as a society that represents the majority of the orthopaedic surgeons and therefore leads the orthopaedic fraternity in Malaysia, will act as an independent body that would evaluate, disburse and manage this educational grant objectively and without any influence from any parties. The process of this grant management would be done in the best practice possible as described within our bylaws.

If you agree to our request, kindly reply to us indicating your acceptance to the terms of this grant. Please indicate any suggested changes to our proposal (if any). We look forward to receiving a positive and prompt response from you.

With best regards,

President of Malaysian Orthopaedic Association



**<Template Document 2>**

The President

Malaysia Orthopaedic Association

<DATE>

Dear Sir/Madam

**RE: Request for industry sponsored education grant for <xxxxxxx \*NAME OF EVENT\*>**

We refer to your request dating <xxxxxx>

We are happy to inform you that our company has agreed to support your industry sponsored educational grant (IEG) entitled <xxxxxx>.

Please note there are suggested changes to the term of this grant:

1. Total amount of grant:
2. Other details of the grant:

The amount of grant will be transferred into the bank account <xxxxxxxxxxx> as per your instructions. We thank you for this initiative and hope you will conduct the management of this grant the best manner possible.

With best regards,

<sponsoring organization>

**Term of Reference of Industrial Sponsored Education Grant (IEG) entitled <xxxx>**

Name of IEG:

Source of funding:

XEF reference:

Purpose of IEG:

Period of IEG to be advertised for use:

Mode of advertisement e.g. targeted/MOA members/open:

Validity dates of the IEG:

Last date for IEG disbursement:

Total amount approved:

Breakdown of allocation:

Mode of Disbursement e.g. direct transfer/reimbursement:

Allocated amounts for each expenditure category:

Hotel:

Travel:

Registration fees:

Stipend:

MOA management fees:

Etc.

Date IEG Approved by MOA Council:

Approved assignee,

President of MOA

## 8. MOA bylaws regarding “Special-Interest Group (SIG) Funding” under the Malaysian Orthopaedic Association

### ***Preamble (Objective):***

To expand clinical and research opportunities for members interested in the field of Orthopaedic Surgery, MOA supports the formation of special interest groups (SIG) under MOA in order to increase the awareness and diversity of Orthopaedic practice. MOA envisage that SIGs would endeavours to provide the resources, information and mentorship necessary to understand Orthopaedic Surgery as a discipline of interest. To achieve this funding for SIG under MOA would be necessary and therefore a policy relating to this needs to be instituted.

### ***Bylaws***

1. The recognized sub-speciality groups in Malaysian Orthopaedic Association are as follows:
  - a. Arthroplasty
  - b. Education
  - c. Foot & Ankle
  - d. Humanitarian
  - e. LLRS
  - f. Oncology
  - g. Paediatric
  - h. Research
  - i. Spine
  - j. Sports
  - k. Trauma
2. Appointment of the SIG head will be done by the council on the advice of the related association council/ expert bodies. The council shall review the appointment yearly. All SIG heads MUST be MOA members. Nomination for the SIG Head shall be submitted before the beginning of the next council term. The appointment shall be made within 2 months after the new council has taken office.
3. The term shall last for a year and renewable yearly, with a maximum of 2 years concurrently.
4. MOA shall provide funds as a start to the group head under a sub specialty group account. These funds will be managed by the group head for all activities, workshops or courses. Any profit made for the year will be banked into this SIG account for your future usage. The fund will be reviewed on a year-to-year basis.
5. Report for the programme must be submitted within 2 weeks from the conclusion of the programme

6. Application for funds in their existing account shall be made through the SIG Head to the MOA council. The money shall be released to the respective associations or reimbursed to individuals. Reimbursement to individuals shall not exceed RM1,000.00

## 9. MOA bylaws regarding “Protocol for Expenditure of SIG (Special-Interest Group) Funds” within the Malaysian Orthopaedic Association

### ***Preamble:***

With increasing need for expenditure for operations and activities, the flow of finance management and accountability is paramount. A clear Bylaw entailing the protocol for expenditure of SIG is thereby instituted for the abovenamed purpose.

### ***Bylaws***

1. Each SIG within the MOA has a fund which is kept for the interest of members of the group.
2. The SIG head is responsible for the handling of funds and directing reimbursements.
3. **Conditions on reimbursement:**
  - a. The SIG head will notify MOA secretariat in writing explaining the amount of funds required and the specific reasons for it (i.e. budget for a specific meeting/course).
  - b. Requests from the SIG head shall include a breakdown of costs.
  - c. MOA secretariat will inform the relevant SIG head regarding the remainder of funds before and after the proposed transaction.
  - d. **Payments:**
    - i. Requests below the amount of RM1,000 will be transferred to the account of the named individual responsible by the SIG head as reimbursement. Receipts of payments shall be forwarded to the MOA secretariat prior to reimbursements.
    - ii. Requests above the amount of RM1,000:
      - Society/Institutional bank accounts. Prior to these transfers, the SIG head shall provide invoices for the required amount.
      - Direct payments to companies. These transfers will require invoices sent to the MOA secretariat together with a request from the relevant SIG head.

## **10. MOA bylaws regarding “President Travel” as part of the responsibility of the President to the Malaysian Orthopaedic Association**

### ***Preamble (Objective):***

The President of MOA is given the honor to represent the Malaysia orthopedic Association at international meetings with the objective to create friendship, networks and collegiality with international colleagues and members of the fraternity. This activity is one of the main functions of the President and represent a large cost to the Association. A closely managed guideline on the allowed expense(s) is/are necessary to ensure that maximal benefit for the cost borne by MOA be achieved.

### ***Definitions:***

1. President: Refers to the president in the MOA council who has been elected at the last ASM and now presiding as the head of the MOA.
2. ASM or “Annual Scientific Meeting”: The official meeting that is organized annually by the association or society and may include but not limited to congress, conference, summit, or meetings.
3. MOA: The Malaysian Orthopaedic Association

### ***Bylaws***

1. The President shall travel to ASM organized by international Orthopaedic Associations during his term in council.
2. The aim for MOA to fully support the President for travels to these meetings are meant to represent the best of MOA and its members and therefore it is important that the President demonstrate the highest level of professionalism, diplomacy, friendliness and be involved in the programs organized by these associations.
3. In the inability of the President to travel, a representative may be selected amongst the council member to represent MOA, to be referred to as the “delegate” to the President, to international ASMs upon the agreement of the council.
4. The president is only allowed to travel to International ASMs that MOA is invited to and that are organized by:
  - a. National Orthopaedic Associations/Societies other than MOA e.g. SOA, KOA
  - b. Partner Societies (MOA signed agreements/ agreed by Council) e.g. ICS
  - c. Consortium Societies that MOA are members e.g. APOA, AOA
5. For travels other than the list above (4), an approval by the council shall be required.
6. Travel allowances and reimbursements allowed for each travel are as below:

- a. Air flight tickets (return and connecting) as described in clause 8 below.
  - b. Hotel Accommodations as described in clause 9 below.
  - c. Ground transport in the hosting country.
  - d. Gift(s) to the inviting association/society.
  - e. Visa and other travel documents.
  - f. Travel insurance.
7. For air travel:
- a. Air ticket(s) that are of the **most direct and shortest distance** to the destination; or if an indirect route is preferred, can be allowed provided that the ticket(s) is/are a cheaper/similar priced alternative.
  - b. For flights of continuous journey of 8 hours or less, only (non-full) economy (or equivalent to these types of flight tickets) are allowed.
  - c. For flight 8 hours or more, business class travel is allowed.
  - d. The duration of connecting flights is measured according to the direct route, e.g., flight to Seoul connecting in Hong Kong, the flight is 4 hours + 4 hours consecutively, the flight time is considered less than 8 hours in either/both.
  - e. In the event the transit for the connecting flight is 8 hours or above, accommodation will be covered by MOA for a nearby airport transit hotel for up to one (1) night each way.
  - f. In the case that the president/delegate wishes to upgrade the flight ticket on his/her own, flight compensation for the cost of the economy ticket reimbursement is allowed (with evidence). The final travel flight ticket must be provided for the claim process to be made.
8. For accommodation(s):
- a. In the event that the cost of the accommodation is not covered by the inviting national association, MOA will cover the cost of accommodation at the venue of the ASM or nearby hotel, whichever is the lower.
  - b. The duration of stay is limited to one day before the duration of the ASM, and one day after the ASM event.
  - c. In the case where the president wishes to stay in accommodations other than the one stated in para 9(a) above or for longer duration than that stated in para 9(b), the maximum cost covered by MOA is of the one calculated in para 9(a). All other and/or additional cost(s) will be borne by the President/Delegate.
  - d. In case(s) where accommodations are provided by the inviting organization or societies but is insufficient to cover the travel needs due to the nature of the travel arrangements e.g., long transit time, unavailable flight times or connections, inconvenient flight timings such as late nights/early morning, flight delays etc., accommodation which is nearby the airport and reasonably priced shall be covered by MOA.
9. Ground Transport:

- a. In the event that the cost of local transport to the ASM venue and/or return to the airport is not covered by the inviting national association, the President/Delegate is allowed to make claims for direct (or best and fastest route) ground transport of his/her choice.
  - b. Although the President/Delegate is eligible for personal transport(s) in the visiting country/venue, it is the responsibility of the President/Delegate to choose transport(s) of lowest pricing possible for the benefit of MOA.
  - c. Transport(s) to/from transit hotels to airport (as in the case of para 9(d)) shall be covered by MOA where applicable.
10. Gifts to the Inviting President/Council:
- a. The MOA president is allowed to purchase gift(s) to be given to the President and/or council of the inviting national association/society.
  - b. The total value or equivalent shall not exceed RM 500 for each ASM attended, and is claimable through a reimbursement process.
  - c. Any amount above this value will be borne by the President/Delegate.
11. Visa and other travel documents:
- a. The MOA shall cover all direct cost of the travel documents including visa and other official required documents, EXCEPT for the President's/Delegate's passport or its renewal cost.
  - b. Claims can be done via reimbursement or using an appointed agent.
  - c. In the case where an agent is not available, the use of MOA staff and resources is allowable to obtain the travel document(s).
12. Travel insurance:
- a. The President is allowed to purchase an annual international travel insurance or pre-trip insurance in relation of the official travels under MOA, whichever is the lower.
  - b. The Delegate is only allowed to purchase travel insurance for the specific trip that has been approved by Council.
13. All expenses made for these travel(s) must be made payable to the President/Delegate as a reimbursement only. Alternatively, payments for travel arrangements can be made to an appointed travel agent that has been approved by Council directly by MOA, in which the President/Delegate shall not be reimbursed for their travels.
14. MOA shall not provide upfront payments to the President/Delegate for any travels.
15. Travel costs and expenditures that are not completed by the President/Council members must be returned in total after deducting all penalties or restrictions, made payable to MOA the soonest possible.



# 11. MOA bylaws regarding “Duties of Council Members” of the Malaysian Orthopaedic Association

## ***Preamble***

The President and his/her Council remains the highest decision making authority in MOA entrusted by the members of MOA to deliver the objectives and purpose of MOA as a high standing professional society. It is important that those elected into Council would ensure that their appointment to MOA Council is to carry out their duties as per entrusted to them and diligently, with the upmost respect. This Bylaw is instituted to ensure that that Council Member are aware that there are duties which are necessary and entrusted to them and that these need to be discharged well.

## ***Bylaws***

1. Qualifications and Terms of Office:
  - a. The council members of the MOA are the President, President-Elect, Immediate Past President, Honorary Secretary, Honorary Treasurer, Editorial Secretary and 2 (TWO) Executive Council members.
  - b. The officers shall only be elected from members of good standing and these are deemed eligible for election into the council of the MOA.
  - c. Each council member shall serve ta erm of office of one year or until a successor has been elected by the MALAYSIAN ORTHOPAEDIC ASSOCIATION or is automatically advanced to the next higher office as provided in these Bylaws (as in the case of the President-Elect automatically advancing to the office of President).
2. Duties of the Council Members of the MALAYSIAN ORTHOPAEDIC ASSOCIATION (MOA). The following provides the basis and guidelines of the functionary duties of each of the elected council members of the MOA:
  - a. President
    - i. Chair all general, scientific and council meetings of the MALAYSIAN ORTHOPAEDIC ASSOCIATION;
    - ii. Deliver the Presidential Address at the Annual Scientific Meeting (ASM) of the MALAYSIAN ORTHOPAEDIC ASSOCIATION;
    - iii. Sign, with any other proper elected council member of the MALAYSIAN ORTHOPAEDIC ASSOCIATION, any contracts, deeds, or other instruments which the council of the MOA has authorized to be executed;
    - iv. Appoint members of special committees or sub-committees within the MALAYSIAN ORTHOPAEDIC ASSOCIATION or working group not otherwise provided for in the Bylaws, with the approval of the council members;

- v. Act in the event of any contingency or emergency not covered by the Bylaws in the best interests of the MALAYSIAN ORTHOPAEDIC ASSOCIATION and its members;
  - vi. Appoint the Organizing chairperson of the following Annual Scientific Meeting of the MOA
  - vii. Perform all duties incident to the office of President and such other duties as the Board may prescribe
- b. President-Elect:
- i. Shall act in the absence of the President or in the event of his or her death, inability or refusal to act, perform all the duties of the President;
  - ii. Perform such other duties as the President or the council members may assign;
- c. Immediate Past President:
- i. Shall advise the President and council members at council meetings of the MALAYSIAN ORTHOPAEDIC ASSOCIATION
  - ii. Chair council meetings of the MALAYSIAN ORTHOPAEDIC ASSOCIATION in the absence of the President and President-Elect
  - iii. Perform such other duties as the President or the council members may assign;
- d. Honorary Secretary:
- i. Responsible for recording and minuting all proceedings at council meetings while ensuring timely distribution of previous minutes prior to all meetings;
  - ii. Responsible for all correspondence and the keeping of all records, documents and books of the MALAYSIAN ORTHOPAEDIC with the exception of accounts and financial records in all formats (i.e. hard-copy, digital, cloud-based data) with the aid of the Executive secretary;
  - iii. 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 with the aid of Executive Council Member 2 – Communication & Networking;
  - iv. Shall in conjunction with the President and the Honorary Treasurer, sign all cheques on behalf of MALAYSIAN ORTHOPAEDIC ASSOCIATION
  - v. Shall file the annual return within 60 days from the date of the Annual General Meeting of the MALAYSIAN ORTHOPAEDIC ASSOCIATION to the Registrar of Societies;
  - vi. Perform such other duties as the President or the council members may assign;
- e. Honorary Treasurer:

- i. Collect all monies due to the MALAYSIAN ORTHOPAEDIC ASSOCIATION and be custodian of all funds pertaining to the MOA with the aid of the Accounts Officer;
  - ii. Shall sign all cheques on behalf of the MALAYSIAN ORTHOPAEDIC ASSOCIATION in conjunction with either the President or Honorary Secretary;
  - iii. Report on the expenditure and income of the MALAYSIAN ORTHOPAEDIC ASSOCIATION at council meetings;
  - iv. Ensure accounts of the MALAYSIAN ORTHOPAEDIC ASSOCIATION shall be audited annually by a Certified Public Accountant for the past fiscal year with the aid of the Accounts Officer;
  - v. Present reports on finances of the MALAYSIAN ORTHOPAEDIC ASSOCIATION at the Annual General Meeting with members of the association which include the audited accountant's report of the fiscal year and the council expenditure since the previous AGM;
  - vi. Notify members of the MALAYSIAN ORTHOPAEDIC ASSOCIATION via notice on the Annual Subscription dues each year if applicable
  - vii. Perform such other duties as the President or the council members may assign;
- f. Editorial Secretary:
- i. Make arrangements for the content and publication of the official newsletter of the MALAYSIAN ORTHOPAEDIC ASSOCIATION (Berita Ortopedik).
  - ii. Report on the Berita Ortopedik during the Annual General Meeting
  - iii. Lead the Editorial Board of Berita Ortopedik
  - iv. Perform such other duties as the President or the council members may assign;
- g. Executive Council Member (1) – Education:
- i. Responsible for the running of regular educative programmes to include webinars, courses and seminars for the benefit of members of the MALAYSIAN ORTHOPAEDIC ASSOCIATION;
  - ii. Assist the Scientific Chairperson in the organization and running of the Annual Scientific Meeting of the MALAYSIAN ORTHOPAEDIC ASSOCIATION;
  - iii. Perform such other duties as the President or the council members may assign;
- h. Executive Council Member (2) – Communications:
- i. Lead staff in charge of membership in ensuring smooth application, reminders and termination processes for members
  - ii. Provide a membership report to members during the Annual General Meeting

- iii. Responsible for updating social media and information sites
- iv. Lead the committee on Communication & Networking
- v. Ensure updates on membership benefits on the MOA website
- vi. Perform such other duties as the President or the council members may assign;

## 12. MOA bylaws regarding “Minutes of the Council Meeting” under the Malaysian Orthopaedic Association

### ***Preamble (Introduction):***

The minutes of the council meeting are important documents to record the discussion, decisions, tasks, and updates presented during the monthly meeting of the Malaysian Orthopaedic Association council. These bylaws are to provide guidelines on the preparation, documentation, implementation of decisions and tasks made during the meeting.

### ***Definition:***

1. Draft minutes: The minutes of the meeting prepared after a council meeting is over.
2. Implementation memorandum: A duplicate copy of the minutes containing details of tasks to be carried out and by whom.
3. Finalised minutes: The minutes of a previous meeting that have been confirmed by a proposer and seconder.

### ***Bylaws***

1. The **draft minutes** must be prepared by the Executive Secretary latest by 72-hours after the end of a meeting and passed to the Honorary Secretary. The Honorary Secretary has up-to-seven days from the previous meeting to finalise the **draft minutes**.
2. **Implementation memorandum** to be created once the **draft minutes** is approved by the Honorary Secretary.

Example of implementation memorandum (example):

Number	Item	Action/ remarks <b>*DETAILED ACTION*</b>
1.1	<ul style="list-style-type: none"><li>● Website to be updated.</li></ul>	<ul style="list-style-type: none"><li>● SA to contact Webmaster to update the website.</li><li>● TC to update Webmaster on coming month Paeds SIG meeting to include into website calendar.</li><li>● Uma to remind Webmaster etc.</li></ul>

3. The Honorary Secretary and the Executive Secretary shall follow-up with the relevant person-in-charge to update the implementation memorandum.

4. Keywords to be added into the minutes/ implementation memorandum to ease searching of documents (eg. #networking, #SIG, #funding, #WhatsApp, #membership, #website, #socmed, etc.)
5. Matters discussed and decided in the WhatsApp group discussion – Honorary Secretary & Executive Secretary must take note and include into the immediate Council Meeting following the discussion and decision.
6. Discussions and decisions made in the Council WhatsApp group to be included in the **draft minutes** under two headings: WhatsApp discussions and Specific headings/sub-headings.
7. Format of the meeting minutes:

Number	Item	Action/ remarks
1.1	<Title> <#keyword>	

8. If an issue/point is brought up that requires reference to another document, the name of the document and date must be documented in the minutes for ease of reference.
9. Following the meeting that confirms a matter, it will be included into the minutes of that meeting as having been resolved.
10. The finalised draft minutes and implementation memorandum are to be shared with the council (together with the letter of invitation of the next council meeting) at least 7 days before the meeting.
11. Once the minutes have been approved, the Honorary Secretary will convert the **finalised minutes** into PDF and store it in the society's data server.

## 13. MOA bylaws regarding “Membership” in the Malaysian Orthopaedic Association

### ***Preamble (Objective):***

This Bylaw was instituted to provide the detailed the process of accepting and terminating members of the association that is reliable and consistent. This would be important to ensure the management of membership is done effectively and efficiently.

### ***Bylaws***

1. Membership forms are digital and shall be filled up and submitted online via email.
2. Membership fees are as described in Clause 6 of the MOA Constitution.
3. Application forms shall be processed by the secretariat and presented to the council (online via email or messaging app) within 7 working days.
4. The council shall respond to the application within 14 working days of the submission.
5. Reminders will be sent to all members (except life members) to pay membership fees within the last 14 days of every year.
6. For members who have not paid their annual fees, another reminder will be sent out on the 1st of April and 1st of May every year.
7. Members that do not pay their fees after two years from the 1st May reminder will be terminated and a notice sent via email to them.
8. Other matters regarding resignation and termination shall follow Clause 5 of the constitution.
9. Ordinary fellow membership benefits will be listed on the official MOA website and are as follows (subject to change from time to time at the council’s discretion):
  - a. Access to recorded webinars and educational material
  - b. Discounted rates for the Annual Scientific Meeting
  - c. Federation membership of the Asia Pacific Orthopaedic Association
  - d. Qualify for the MOA Mentor Mentee Program
  - e. Discounts/benefits of corporate partners of the association
  - f. Eligible to apply for financial aid for traveling fellowships:
    - i. AJTF - ASEAN Junior Traveling Fellow (below 45 years old).
    - ii. ASTF - ASEAN Senior Traveling Fellow (46 years old and above).
    - iii. Limited to one fellowship a year per member.
    - iv. Maximum of RM1500 for reimbursement of traveling costs (airplane, road transport) for approved supported education programs.
10. Associate fellow membership are as follows (subject to change from time to time at the council’s discretion):
  - a. Access to recorded webinars and educational material
  - b. Discounted rates for the Annual Scientific Meeting
  - c. Discounted rates for education programs/webinars

## 14. MOA bylaws regarding “Council Meetings” under the Malaysian Orthopaedic Association

### ***Preamble (Introduction):***

The council meeting is an important component that is important to ensure the smooth running of the society throughout the year. These bylaws are to provide guidelines on the running of the meeting.

### ***Definition:***

1. MOA Staff: All full-time or part-time staff employed by the Malaysian Orthopaedic Association.

### ***Bylaws***

1. All council meetings should take into consideration the costs involved, giving the best deal for MOA.
2. The first council meeting should be immediately after the Annual General Meeting:
  - a. Passing over of TOR from out-going to in-coming Council
  - b. Formal photo-session
    - i. In-coming council
    - ii. In-coming & Out-going council
  - c. Decide on date of next Council meeting
3. At least one meeting every month.
4. During one council period, there should be at least 2 face-to-face meetings (to encourage cooperation).
5. Role of MOA staff (under guidance of the Executive Secretary) **before** a council meeting – to follow-up with each council member that has an action to resolve regarding a matter at least one-week prior to the meeting.
6. For any meeting that requires an online component, MOA staff must start the Zoom meeting room at least 15-minutes prior to start of meeting.
7. Staff must have the related documents prepared the morning/afternoon of the meeting (latest by 2pm of the meeting day).
8. Role of MOA staff **during** a council meeting –:
  - a. Preparation of venue (physical & online) – General clerk
  - b. Document screen sharing – Accounts Officer
  - c. Note taking during meeting – Executive Secretary
9. Format of meeting
  - a. Introduction – President



- b. (EXTERNAL) Annual Scientific Meeting/ Malaysian Orthopaedic Journal updates (when necessary)
  - c. (EXTERNAL) Committee reports (when necessary)
  - d. Confirmation of previous minutes
  - e. Council reports
    - i. President
    - ii. Immediate Past-President
    - iii. President-Elect
    - iv. Honorary Secretary
    - v. Honorary Treasurer
    - vi. Council Members
    - vii. Editorial Secretary
  - f. Operational reports (MOA Staff)
    - i. Executive Secretary
    - ii. Accounts Officer
    - iii. General clerk/ despatch/ technical
  - g. Arising matters
10. Recording of the meeting:
- a. Zoom recording – Video & Audio
  - b. Executive secretary
  - c. Honorary secretary
11. Letter of invitation (together with the minutes) must be shared minimum 7-days before the meeting.
12. Any matter to be discussed during a meeting must be informed to the Honorary Secretary or Executive Secretary **before** the letter of invitation for the meeting is emailed.
13. The sitting council must have a final meeting to confirm the items to be discussed during the Annual General Meeting at least one week before the start of the Annual General Meeting.

## **15. MOA bylaws regarding the “Editorial Board for Berita Ortopedik” under the Malaysian Orthopaedic Association**

### ***Preamble (Objective):***

The Berita Ortopedik is the official newsletter of the MOA. The Editorial Board is responsible for its management and publication and as an important function for MOA, this Bylaw is instituted to ensure that the policies, organizational structure, function and operations are clearly described.

### ***Definitions:***

1. Editorial Board: The committee responsible for the publication of the Berita Ortopedik
2. Editorial Secretary: The person elected at the Annual General Meeting who leads the Editorial Board
3. MOA Council: The residing council who manages the association as described in CLAUSE 8 of the MOA constitution.

### ***Bylaws***

1. The Editorial Board shall be led by the Editorial Secretary who is elected at the Annual General Meeting for a one-year term.
2. The Editorial Secretary is a member of the MOA council and is responsible for the organization, management and running of the Editorial Board.
3. The Editorial Board shall consist of a minimum of 4 members, including the Editorial Secretary. Besides the Editorial Secretary, Editorial Board members receive official appointments for two years, and letters of appointment issued by the MOA council.
4. Editorial Board meetings shall be conducted a minimum of 4 times per term.
5. The Editorial Secretary shall provide a report to the council after every issue.
6. The Editorial Board shall publish on a quarterly basis and disseminate each issue to all members of the MOA in a timely manner. The frequency of publication is subject to the discretion of the Editorial Secretary and MOA council.
7. The content of the Berita Ortopedik, including advertisements, is subject to the approval of the Editorial Board and MOA council. Fees relating to advertisements are to be decided by the MOA council of the day. Costs relating to complimentary advertisements approved by the MOA council shall be absorbed by the MOA.
8. The Berita Ortopedik shall be published in digital form and disseminated via the official website, email, social media accounts and instant messaging applications.

9. The Council reserves the right to amend, replace members, or disband the committee at any time without prior notice or reason, of which the duties and responsibilities would instantly be transferred to the Council.

## **16. MOA bylaws regarding “Information Technology Committee” under the Malaysian Orthopaedic Association**

### ***Preamble (Objective):***

The “Information Technology Committee” has been established to ensure that the latest technological tool and information relating to MOA, its activities and the message that needs to be expanded across its members as well as across the world is expedited and disseminated in a comprehensive and relatively quickly. This committee is also tasked to ensure that MOA is equipped with (or at least informed of the latest) technological tool(s) that would ensure that MOA remains relevant in its management relating to information technology practices. The Committee is responsible to manage MOA’s need and expectation in its information technology requirements up to the latest standards and requirements in line with world standards.

### ***Definitions:***

1. MOA Council: The residing council who manages the association as described in the CLAUSE 8 of the MOA constitution.
2. Technological tool(s): Any material(s) which may include but not limited to applications, software, hardware, methods, techniques, processes, procedures, instrument, equipment etc. that is used for information dissemination, storage, modification, sharing, archiving, processing, manipulating, managing, administrating as well as other activities that would serve its purpose within the context of information technology.
3. ITC or “Information Technology Committee”: Is a group established under MOA that is meant to lead the information technology related matters including (but not limited to) multimedia, communications, software, apps, software platforms or other related materials.
4. Chairperson: The person appointed by the MOA council to lead the Information Technology Committee.

### ***Bylaws***

1. The Information Technology Committee shall be led by a Chairperson appointed by the MOA council for a period of 3 years.
2. The MOA Information Technology Committee shall consists of up to 5 members, including the Chairperson.

3. The Chairperson is answerable to the MOA council and is responsible for the organization, management and, the activities of these committees (mentioned in subsection 3 of MOA bylaw).
4. Chairperson shall report to the council of the committee activities at least 3 monthly.
5. The Chairperson is tasked with identifying the remaining members, and to ensure that the members perform their function well, taking into account the best interest of MOA. members, The Chairperson shall inform the Council the names of the suggested members, and the appointment shall be made by the President of MOA.
6. **The Terms of Reference for the Core Group are:**
  - c. To serve the committee for an appointment period of 3 years.
  - d. Establish, manage, administer and regulate the technological tool(s) what would enable MOA to provide information and enable its presence in the digital world, such as websites, virtual worlds, metaverses, social media platforms etc.
  - e. To suggest, plan, institute, manage, execute and update on information technological tools that would be required for MOA to remain technologically and digitally savvy and staying contemporary to other related and relevant business entities.
7. The Council reserves the right to amend, replace the members, or disband the committee at any time without prior notice or reason; of which the duties and responsibilities would instantly be transferred to the Council.

## **17. MOA bylaws regarding “Donation, Contribution, Gift or Support from MOA to Any Entity” under the Malaysian Orthopaedic Association**

### ***Preamble (Objective):***

In recent times, there has been many instances by which MOA has been asked or obliged to aid, support, contribute, donate in monetary, material and/or non-physical forms by individual(s) or entity(ies) that are not related to MOA or even for the purpose(s) not meeting the objectives of the MOA as described in its constitution. It is therefore prudent that MOA establishes a policy that would provide a clear standing and guideline to using MOA funds to be given away for purposes that are not related to the objectives of this society.

### ***Definitions:***

1. MOA Council: The residing council who manages the association as described in CLAUSE 8 of the MOA constitution.
2. Benefaction: Any form of contribution, gift, support, waiver, offering, subsidy, bequest, alms, donation, or other action(s) that may be seen as fall into one of the above that is in the form of monetary, material(s), non-physical item(s), emotional, spiritual, statement, policies etc. to a person(s) or party(ies).
3. Entity: Person(s), individual(s), group(s), body(ies), organization(s), or any other party(ies) that would stand to receive benefaction from MOA.
4. Members: Refers to the registered members of 4 categories under MOA that is described in the MOA Constitution.
5. Declaration of State of Emergency: A condition by which the President of MOA declares that an incident, situation or condition that is happening is an emergency or unplanned circumstance of which assistance is required that involves providing humanitarian aid to the victims of this incident, situation or condition.

### ***Bylaws***

1. The funds/money/asset/benefit and other material(s) (to be referred to herewith as “Resources”) available to MOA is the property of its members and therefore must only be used for its intended purpose to achieve MOAs’ objectives as described in the MOA constitution.

2. The President, as with other Council members to MOA, are the legal custodian to these Resources and therefore are completely responsible to manage these with the best interest of its members in mind.
3. Any action of using Resources that is not aligned towards MOAs' objectives is strongly discouraged and should be avoided.
4. Benefaction to any Entity outside of MOA, may it be related or not to Orthopaedics and/or its allied sciences, must be viewed with caution and discouraged where possible.
5. Benefaction to any Entity that appears illegal, controversial, political, self-serving, business, and/or is not aligned or is conducting activities that does not reflect MOA's objectives shall not be allowed.
6. Benefaction to Entity that is aligned towards MOA's objectives, and is actively engaged in activities related to those practiced in MOA (or aligned towards MOA's values and principles) can be considered by the Council at their discretion.
7. Provision for benefaction of resources to Entity that is not aligned towards MOA's objectives can ONLY be considered under the declaration of a state of emergency where Resources are being used for humanitarian reasons.
8. The Council is only allowed to approve benefactions not exceeding 10% of its net worth income for the year of the active council. Beyond this amount, the Council shall seek the approval of its members at and AGM or EGM before any benefaction can be provided.
9. All approvals for use of Resources must receive a unanimous vote from MOA Council of which the Council is fully responsible on the decision to release the Resources, and thus subjected to consequence of this decision.
10. Members MUST be informed of all use of Resources and of the Entity that is/has received it as soon as it has been disbursed/released.
11. Information of the use of Resources and of the benefiting party(parties) together with information of the Entity involved must be transparent, and that such information must be made publicly available as soon as possible.

## **18. MOA bylaws regarding “Past Presidents” under the Malaysian Orthopaedic Association**

### ***Preamble (Objective):***

Being a president of the Malaysian Orthopaedic Association (MOA) is a prestigious position and that having served as a president to MOA, is considered one of the most honorable and outstanding achievement for an orthopaedic surgeon practicing in Malaysia. The present Bylaw is written with the intention to ensure that MOA past presidents receive their due recognition and that their responsibilities with MOA would continue, providing continued benefit to its members.

### ***Definitions:***

1. MOA Council: The residing council who manages the association as described in CLAUSE 8 of the MOA constitution.
2. President: The President of MOA who at the time heads MOA for the active year who is elected via the MOA general meeting that as described in CLAUSE 7 of the Constitution.
3. Past President: An Individual who has been elected as President of the MOA before, completed his/her term in office and no longer serves on Council. This excludes the “Immediate Past President’ who at the time still an active member of Council.
4. Members: Refers to the registered members of 4 categories under MOA that is described in the MOA Constitution.
5. Council: Refers to the group of council members elected into the position at an MOA annual general meeting as described in MOA constitution of 1967.
6. Fellow: A category of membership under MOA that is described in CLAUSE 4 of the Constitution that has the right for voting.

### ***Bylaws***

1. Past Presidents, are MOA presidents who have completed their term in office and no longer active in MOA daily operation, shall remain active Fellows in MOA.
2. Past Presidents shall continue to proudly carry the name “MOA President” (for the year of their service(s) to MOA). For example, a president that served in 2018 till 2019, shall carry the title “MOA President 2018”.
3. The Past Presidents are representatives of MOA, and embodies the best that this society has to offer. Therefore, in his/her appearance in any functions, the Past Presidents shall



uphold the highest level of dignity, standards and values; and shall ensure that the good name of MOA is upheld in all occasions.

4. Past presidents shall provide their expertise and continue to contribute to MOA if their services are required by MOA from time to time.
5. Being recognized for their contribution, the Past Presidents shall be:
  - a. Recognized for the past contribution and shall be addressed as a Past President in events conducted by MOA,
  - b. Called upon for meetings and discussions (either to conduct, present, or assist) relating directly or indirectly to MOA by the Council as and when needed,
  - c. Given due recognition in meetings that are relevant and/or related to MOA,
  - d. Given registration and accommodation benefits for all MOA Annual Scientific Meeting (ASM) (subjected to available funds and/or the ability for MOA to provide any additional support(s) depending on prevailing conditions/situations), and
  - e. Provided any/all benefits and/or provisions that is/are deemed fit by the Council.