

## OLYMPIC COUNCIL OF MALAYSIA

### MINUTES OF THE 27<sup>th</sup> ANNUAL GENERAL ASSEMBLY OF THE OLYMPIC COUNCIL OF MALAYSIA HELD ON 26<sup>th</sup> JUNE 2008 AT 2.00 P.M. AT OCM INDOOR SPORTS ARENA, WISMA OCM, JALAN HANG JEBAT, KUALA LUMPUR

#### PRESENT

- |     |                                     |                        |
|-----|-------------------------------------|------------------------|
| 1.  | YBhg. Datuk Dr. M. Jegathesan       | - Deputy President     |
| 2.  | YBhg. Prof. Dato' Ar. W. Y. Chin    | - Vice President       |
| 3.  | Cik Low Beng Choo                   | - Vice President       |
| 4.  | YBhg. Prof. Dato' Dr. Zakaria Ahmad | - Vice President       |
| 5.  | YBhg. Dato' Roy Rajasingham         | - Vice President       |
| 6.  | YBhg. Dato' Seri Dr. Ibrahim Saad   | - Vice President       |
| 7.  | YBhg. Dato' Sieh Kok Chi            | - Honorary Secretary   |
| 8.  | YBhg. Dato' Seri Kee Yong Wee       | - Honorary Treasurer   |
| 9.  | Cik Moira Tan Siew See              | - Hon. Asst. Secretary |
| 10. | Encik Ramlay Ibrahim                | - Hon. Asst. Secretary |
| 11. | Encik Rosmanizam Abdullah           | - Hon. Asst. Treasurer |

#### ORDINARY MEMBERS

##### NATIONAL SPORTS ASSOCIATIONS

##### DELEGATES

- |    |              |   |  |
|----|--------------|---|--|
| 1. | ARCHERY      | - | Tuan Haji Abd. Hamid Haji Hasan<br>Encik Muhamad Zul Izzi  |
| 2. | ATHLETICS    | - | Encik R. Anamalai<br>Encik S. Vegiyathuman<br>Encik Jamaludin Abdul Aziz                               |
| 3. | BADMINTON    | - | Encik Kenny Goh Chee Keong<br>Encik Chooi Weng Sheng   |
| 4. | BASKETBALL   | - | Encik Ong Leng Kok<br>Puan Wong Kwan Siew  |
| 5. | BODYBUILDING | - | Encik Francis Yong<br>Encik Vincent Ho   |
| 6. | BOWLING      | - | Encik Sidney Tung  |
| 7. | BOXING       | - | Mej. (B) Wan Abdul Hamid Wan Mahmood<br>Tuan Haji Mohd Harun Haji Ismail<br>Mej. (B) Maulud bin Othman |
| 8. | CRICKET      | - | Encik Sivanandan Chinnadurai<br>Encik N. Rasanayagam   |

9.	CYCLING	-	YBhg. Datuk Haji Naim Datuk Haji Mohamad Tuan Haji Ibrahim Mustapa Encik Maniam Manickam
10.	EQUESTRIAN	-	NIL
11.	FENCING	-	Encik Ahmad Farik Haji Abdul Hamid
12.	FOOTBALL	-	Encik Mohd Saifuddin Abu Bakar Encik E.R. Subramanian Encik Mohd Rodzali yaakub
13.	GOLF	-	Encik Zulkifli Dato' Ismail
14.	GYMNASTICS	-	Encik N. Shanmugarajah Encik Zaini Haji Dawi Encik Paramaspathy Iyyakanoo
15.	HOCKEY	-	Encik Hashim Mohamed Yusoff
16.	JUDO	-	Encik I. Mariappan
17.	KARATE	-	Encik Clement Soo Encik Shamsudin Shaik Ali
18.	LAWN BOWLS	-	Encik Ramble Dallan Rice-Oxley Cik Norcigi Ismail
19.	LAWN TENNIS	-	NIL
20.	NETBALL	-	Cik Hajah Mazidah Haji Musa Cik Hajah Isnariah Haji Idris
21.	RUGBY	-	Encik Ramesh Lachmanan
22.	SEPAKTAKRAW	-	YBhg. Dato'Haji Arshad Haji Yahya Encik Idris Abdul Karim Encik Ab Razak Rahman
23.	SHOOTING	-	Mej. (B) Jasni Shaari Encik Mark Ong Eng Khong
24.	SILAT	-	NIL
25.	SNOOKER & BILLIARDS	-	Encik Chua Soon Seng Puan Kang Phaik Suan, Patricia
26.	SOFTBALL	-	Puan Sally Lim Swee Gaik
27.	SQUASH	-	Encik K. Sivanesen

28.	SWIMMING	-	Encik Edwin Chong Encik Abdul Rahim Aziz
29.	TABLE TENNIS	-	Encik Soong Poh Wah Encik Chen Fook Yen Encik Ho Kwong Kee
30.	TAEKWONDO	-	Encik Kumar Thangaraju Encik S. Guna Segaran Samuel
31.	VOLLEYBALL	-	Encik Zailan Kamaruddin Mohd Salleh
32.	WEIGHTLIFTING	-	YBhg. Dato' Gan Boon Leong Encik Roslan Othman Encik Abu Hanapah Ismail
33.	WUSHU	-	Encik Loong Chek Hock Encik Chin Hoong Iap
34.	YACHTING	-	NIL

#### **ASSOCIATE MEMBERS**

1.	AIKIDO	-	Encik Wong Teck Wah
2.	BASEBALL	-	NIL
3.	CANOE	-	NIL
4.	CHESS	-	Cik Haslinda Ruslan
5.	DANCE SPORT	-	NIL
6.	EXTREME SPORT	-	Encik Nik Ahmad Farez Nik Ghazali
7.	GOLF (WOMEN)	-	Puan Wan Rokiah Ismail
8.	HANDBALL	-	Encik Ng Num Thiam
9.	ICE HOCKEY	-	NIL
10.	KABADDI	-	Encik Mohd Affandi Abdullah Encik G. Guna
11.	MOUNTAINEERING	-	NIL
12.	PETANQUE	-	NIL
13.	POLO	-	NIL
14.	ROWING	-	NIL
15.	SILAMBAM	-	NIL
16.	WATER SKI	-	NIL
17.	WOODBALL	-	NIL

#### **IN ATTENDANCE**

1.	Encik Fong Wan Hor	-	Senior Executive, Olympic Council of Malaysia.
2.	Puan Nomala Taslim	-	Executive, Olympic Council of Malaysia.
3.	Puan Norliza Abdul Aziz	-	Executive, Olympic Council of Malaysia.
4.	Puan Ng Swee Fong	-	Executive, Olympic Council of Malaysia.
5.	Encik Norhashimi Hussain	-	Executive, Olympic Council of Malaysia.

- |     |                                 |   |  |
|-----|---------------------------------|---|--|
| 6.  | Puan Stephanie Rajagopal        | - | Executive, Olympic Council of Malaysia         |
| 7.  | Encik Joe Marcose               | - | Media Officer, Olympic Council of Malaysia.    |
| 8.  | Encik Chua Hong Tam             | - | Part-time Officer, Olympic Council of Malaysia |
| 9.  | Encik Zahiruddin Md Zin         | - | Executive, Olympic Council of Malaysia         |
| 10. | Encik Afnan Fariduddin Abdullah | - | Executive, Olympic Council of Malaysia         |

### **OBSERVERS**

- |    |                            |   |            |
|----|----------------------------|---|------------|
| 1. | Encik Suhardi Alias        | - | NSC        |
| 2. | Encik Chong Choong Seong   | - | JPJS       |
| 3. | Encik Aminuddin Mohd Nasir | - | Athletics  |
| 4. | Encik M. P. Haridas        | - | Gymnastics |
| 5. | Cik Meggie Cheong          | - | Volunteer  |

### **ABSENT WITH APOLOGIES**

1. YBhg. Datuk Setia Raja, Tan Sri Datuk Seri Hamzah bin Haji Abu Samah - Hon. Life President/Hon. IOC Member
2. YAM Tunku Tan Sri Imran ibni Almarhum Tuanku Ja'afar - President/IOC Member

### **1. ROLL CALL**

- 1.1 Delegates from 30 Ordinary Members and 6 Associate Members were present, making a total of 59 voting delegates and 6 non-voting delegates. The names of the delegates are as shown in the attendance list above.

### **2. PRESIDENT'S ADDRESS**

- 2.1 The Deputy President of the Olympic Council of Malaysia (OCM), YBhg. Datuk Dr. M. Jegathesan welcomed the delegates to the 27<sup>th</sup> Annual General Assembly and thanked them for their presence. He informed the delegates that the President of OCM, YAM Tunku Tan Sri Imran ibni Almarhum Tuanku Ja'afar, could not chair the 27<sup>th</sup> Annual General Assembly as he was resting from his knee replacement operation and has requested him to Chair the 27<sup>th</sup> Annual General Assembly.

### **3. CONFIRMATION OF MINUTES OF 26<sup>TH</sup> AGA HELD ON 26<sup>TH</sup> MAY 2007**

- 3.1 The Minutes of the 26<sup>th</sup> Annual General Assembly were confirmed, without any amendment, on the proposal of the delegate of the Amateur Swimming Union of Malaysia, Encik Edwin Chong and seconded by the delegate of the Malaysian Gymnastics Federation, Encik N. Shanmugarajah.

### **4. MATTERS ARISING**

- 4.1 No matter was brought up for discussion.

### **5. PRESENTATION AND ADOPTION OF 26<sup>TH</sup> ANNUAL REPORT FOR THE PERIOD 1<sup>ST</sup> JUNE 2007 TO 10<sup>TH</sup> JUNE 2008.**

- 5.1 The Chairman presented the 26<sup>th</sup> Annual Report for the approval of the General Assembly. As no matter was raised, the 26<sup>th</sup> Annual Report was unanimously approved

on the proposal of the delegate of the Malaysia Amateur Athletic Union, Encik R. Anamalai and seconded by the delegate of the Malaysia Amateur Boxing Federation, Mej. (B) Maulud Othman

**6. PRESENTATION AND ADOPTION OF AUDITED STATEMENTS OF ACCOUNTS FOR THE PERIOD 1<sup>ST</sup> JANUARY TO 31<sup>ST</sup> DECEMBER 2007.**

- 6.1 The Honorary Treasurer then presented the audited statements of accounts for the Financial Year 1<sup>st</sup> January to 31<sup>st</sup> December 2007, for the approval of the General Assembly.
- 6.2 As no matter was raised, the Audited Statements of Accounts for Financial Year 1<sup>st</sup> January to 31<sup>st</sup> December 2007, were then unanimously approved and adopted on the proposal of the delegate of the Malaysia Amateur Athletic Union, Encik R. Anamalai and seconded by the delegate of the Malaysian Fencing Federation, Encik Ahmad Farik Haji Abdul Hamid

**7. PRESENTATION AND APPROVAL OF PROPOSED AMENDMENTS TO THE CONSTITUTION OF OCM.**

7.1 The Chairman presented the proposed amendments to the Constitution of OCM, and informed the General Assembly that the proposed amendments had been discussed and approved by the OCM Executive Board. He added that the proposed amendments had also been extended by email to the affiliates of OCM on 23<sup>rd</sup> May 2008, for their study. He clarified that in accordance with the requirements of the IOC, the Constitutions of all NOCs have to be approved by the IOC, to ensure that there are no inconsistencies between the Olympic Charter and the Constitutions of the NOCs, and to include the provision that the voting majority of the OCM shall always be with the national sports associations affiliated to the International Federations (IFs) governing sports included in the programme of the Olympic Games.

7.2 The Chairman informed the General Assembly that he would go through the proposed amendments, one by one and page by page, starting from pages 75 to 90, and the page entitled “Additional Proposed Amendments to OCM Constitution”, which are in the printed documents of the 27<sup>th</sup> Annual General Assembly, 2008. This is to provide the delegates the opportunity to give their comments, seek clarifications and approve the amendments.

**7.3 PREAMBLE**

*We, the Olympic Council of Malaysia, an organization belonging to the Olympic Movement, duly represented by the **undersigned, hereby undertake to respect the provisions of the Olympic Charter and the World Anti-Doping Code and to abide by the decisions of the IOC. We undertake, in accordance with our mission and role at national level, to participate in actions to promote peace and to promote women in sport. We also undertake to support and encourage the promotion of sports ethics, to fight against doping and to demonstrate a responsible concern for environmental issues.***

7.3.1 The existing Preamble was amended by replacing the full stop after the word ‘undersigned’ with a comma. The amendment was unanimously approved.

- 7.4 **Mission (New)**  
*The mission of the Olympic Council of Malaysia is to develop, promote and protect the Olympic movement in Malaysia, in accordance with the Olympic Charter.*
- 7.4.1 The above new statement is to comply with IOC requirement and was unanimously approved.
- 7.5 **Sub-Article 4.2 (New)**  
*The OCM is obliged to participate in the Games of the Olympiad by sending athletes.*
- 7.5.1 The new Sub-Article 4.2 is to comply with IOC requirement and was unanimously approved.
- 7.6 **Sub-Article 4.3 (New)**  
*The OCM constitute, organize and lead its delegation at the Olympic Games and at the regional, continental or world multi-sports competitions patronized by the IOC. The OCM is responsible for the behavior of the members of its delegation.*
- 7.6.1 The new Sub-Article 4.3 is to comply with IOC requirement and was unanimously approved.
- 7.7 **Sub-Article 4.4**  
*The OCM shall have the exclusive **authority** for the representation of Malaysia at the Olympic Games, Asian Games, Commonwealth Games, Southeast Asian Games and other **regional** and international multi-sports competitions in accordance to the Rules and Regulations of the IOC, the Olympic Council of Asia, the Commonwealth Games Federation, the Southeast Asian Games Federation and other **regional** and international multi-sports bodies.*
- 7.7.1 The above Sub-Article 4.4 replaced the existing Sub-Article 4.2 with the amendment in bold. The amended Sub-Article is to comply with IOC requirement and was unanimously approved.
- 7.8 **Sub-Article 5.1**  
*To promote the fundamental principles and values of Olympism in Malaysia, in particular, in the fields of sport and education, by promoting Olympic educational programmes in all levels of schools, sports and physical education institutions and universities, as well as by encouraging the creation of institutions dedicated to Olympic education, such as National Olympic Academies, Olympic Museums and other programmes, including cultural, related to the Olympic Movement.*
- 7.8.1 The above Sub-Article 5.1 replaced the existing Sub-Article 5.1. The amended Sub-Article is to comply with IOC requirement and was unanimously approved.
- 7.9 **Sub-Article 5.2 (New)**  
*To ensure the observance of the Olympic Charter in Malaysia*
- 7.9.1 The new Sub-Article 5.2 is to comply with IOC requirement and was unanimously approved.
- 7.10 Sub-Articles 5.2 to 5.5 renumbered as Sub-Articles 5.3 to 5.7

- 7.11 **Sub-Article 5.6 (New)**  
*To encourage and support measures and efforts for protecting the health of athletes and for the social and professional future of athletes*
- 7.11.1 The new Sub-Article 5.6 is to comply with IOC requirement and was unanimously approved.
- 7.12 Sub-Articles 5.6 and 5.7 renumbered as Sub-Articles 5.7 and 5.8
- 7.13 **Sub-Article 5.9**  
*To preserve complete independence and autonomy and to resist all pressures of any kind, including but not limited to political, legal, religious or economic, which may prevent the OCM from complying with the Olympic Charter.*
- 7.13.1 The above Sub-Article 5.9 replaced the existing Sub-Article 5.8. The amended Sub-Article is to comply with IOC requirement and was unanimously approved.
- 7.14 Sub-Articles 5.9 to 5.16 renumbered as Sub-Articles 5.10 to 5.17
- 7.15 **Sub-Article 6.15 (New)**  
*Any member who fails to present himself after having received notice to settle a dispute referred to in this section, shall be deemed to have waived his right to resolve the dispute and therefore the dispute could be settled in his absence.*
- 7.15.1 The new Sub-Article 6.15 was unanimously approved.
- 7.16 Sub-Article 6.15 renumbered as Sub-Article 6.16
- 7.17 Sub-Article 9.4 repealed
- 7.18 Sub-Articles 9.5 and 9.6 renumbered as Sub-Articles 9.4 and 9.5
- 7.19 **Sub-Article 9.5**  
*Where there is an existing Member of any particular sport, application for membership from any other organization for the same sport shall not be considered if the status of the existing member concerned remains bona-fide, **provided that the Member which is affiliated to the OCM always corresponds to the National Sports Association which is also affiliated to its relevant International Federation.***
- 7.19.1 The amendments in bold to existing Sub-Article 9.6 and renumbered as Sub-Article 9.5 were unanimously approved.
- 7.20 **Sub-Article 9.6 (New)**  
*Only Associate Members governing sports which are included in the programme of the Olympic Games may apply to be upgraded to be Ordinary Members.*
- 7.20.1 The new Sub-Article 9.6 is to comply with IOC requirement and was unanimously approved.

- 7.21 **Sub-Article 15.1 (m)**  
*Not more than four (4) persons, of whom, at least two (2) shall be women, who, in the opinion of the Executive Council, can contribute to the objectives of the OCM*
- 7.21.1 The amendments in bold to existing Sub-Article 15.1(m) were unanimously approved.
- 7.22 **Sub-Article 16.1 (f)**  
*Not more than four (4) persons to be appointed by the Executive Council, of whom, at least two (2) shall be women, provided they are not from Members of the OCM, whose representatives are holding any office under (a) above.*
- 7.22.1 The amendments in bold to existing Sub-Article 16.1(f) were unanimously approved.
- 7.23 **Sub-Article 17.1.1**  
*The Executive Council shall, at the first meeting after the AGA or soon after appoint Chairman and members of Committees and outlined the terms of reference and duties of all Committees. The respective Chairman of the Committees shall report directly to the Executive Board and shall perform their duties under the direction of the Executive Board.*
- 7.23.1 The amendments in bold to existing Sub-Article 17.1.1 were unanimously approved.
- 7.24 **Sub-Article 17.1.4**  
*The OCM shall have the following Standing Committees:*
- (a) Selection*
  - (b) Discipline*
  - (c) Finance, Marketing and Sponsorship*
  - (d) Sport for All, Sport and Sport & Environment*
  - (e) Legal Advisory and Alternate Dispute Resolution (ADR)*
  - (f) Management and Administration*
  - (g) Women and Sport*
  - (h) Building*
  - (i) Sport Museum and Hall of Fame*
  - (j) Medical & Doping Control*
  - (k) National Olympic Academy*
  - (l) such other committees as the Executive Council may deem necessary*
- The OCM shall discontinue with any of the above Committees as the Executive Council deems fit.*
- 7.25 Sub-Article 17.1.4 and the duties of the Committees were repealed and transferred to the Bye Laws of OCM. The proposal was unanimously approved.
- 7.26 **Sub-Article 17.1.5 (New)**  
*The duties of the Committees are as set out in the Bye Laws of OCM.*
- 7.26.1 The new Sub-Article 17.1.5 replaced existing Sub-Article 17.1.4 and was unanimously approved.
- 7.27 Sub-Articles 17.1.5 and 17.1.6 were renumbered as Sub-Articles 17.1.6 and 17.1.7

- 7.28 **Sub-Article 18.1 (New)**  
*The Executive Council preceding the AGA shall appoint a three (3) member Independent Panel, one of whom shall be the Returning Officer, to supervise, manage and conduct the elections of Office Bearers of OCM.*
- 7.28.1 The new Sub-Article 18.1 was unanimously approved.
- 7.29 **Sub-Article 18.2 (New)**  
*The Returning Officer shall be overall responsible for the purposes of the elections including all procedures prior to the elections including sending out nomination forms, receiving nomination forms and informing candidates of their qualification or disqualification to stand as candidates.*
- 7.29.1 The new Sub-Article 18.2 was unanimously approved.
- 7.30 **Sub-Article 18.3 (New)**  
*The Independent Panel shall disqualify a candidate for furnishing incorrect or false particulars or failing to provide particulars that are required or where a candidate is an undischarged bankrupt or has been convicted of a statutory offence involving fraud or dishonesty or a criminal offence within or without Malaysia within a period of five (5) years of his conviction.*
- 7.30.1 The new Sub-Article 18.3 was unanimously approved.
- 7.31 **Sub-Article 18.4 (New)**  
*The Returning Officer shall ensure all delegates who attend the AGA have been nominated by their respective NSAs and are eligible to vote. Only accredited delegates are entitled to vote.*
- 7.31.1 The new Sub-Article 18.4 was unanimously approved.
- 7.32 **Sub-Article 18.5**  
*Nominations for Office Bearers shall be invited from Ordinary Members by the **Returning Officer**, at least **twenty-one (21) days** before the AGA in which elections are to be held.*
- 7.32.1 The amendments in bold to existing Sub-Article 18.5 were unanimously approved.
- 7.33 **Sub-Article 18.6**  
*Nominations with the consent, in writing, of the candidates concerned shall be in the prescribed OCM form, duly proposed and signed by the President or the Hon. Secretary of an Ordinary Member, and must be received by the office of OCM during office hours, up to 5.00 p.m., not later than **ten (10) days** before the AGA.*
- 7.33.1 The amendments in bold to existing Sub-Article 18.6 were unanimously approved.
- 7.34 **Sub-Article 18.7**  
*After receipt and verifying the completed nomination forms, the Independent Panel shall thereafter within two (2) days after the receipt thereof inform each candidate as to whether he is qualified or otherwise to stand for election.*

7.34.1 The existing Sub-Article 18.3 was replaced by new Sub-Article 18.7 was unanimously approved.

7.35 **Sub-Article 18.8**

*The **Returning Officer** shall send to every Ordinary Member the list of qualified candidates for each of the positions nominated not later than **seven (7) days** before the said AGA.*

7.35.1 The amendments in bold to existing Sub-Article 18.4 were unanimously approved.

7.36 Sub-Article 18.5 is repealed

7.37 Sub-Articles 18.6 to 18.8 were renumbered as Sub-Articles 18.9 to 18.11

7.38 **Sub-Article 19.2 (New)**

*The office of an Office-Bearer shall become automatically vacant if an Office-Bearer:-*

*(a) Becomes bankrupt;*

*(b) Resigns his office by notice in writing, and which resignation is accepted by the Executive Council;*

*(c) Absent from attending more than six (6) consecutive meetings without prior consent of the Executive Council;*

*(d) Is convicted of a statutory offence involving fraud or dishonesty or a criminal offence within or without Malaysia with a sentence for imprisonment;*

*(e) Becomes prohibited from being an Office-Bearer by law or by reason if any court order;*

*(f) Becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental disorder.*

7.38.1 The new Sub-Article 19.2 was unanimously approved.

7.39 Before the General Assembly approved the amendments to Sub-Articles 22.2 to 22.7, which are on the subject of Alternate Dispute Resolution (ADR), a number of concerns were clarified. The first was on the high cost for arbitration, which the Chairman clarified that mediation was not expensive and hence should be the option for dispute resolution by the NSAs. Encik Edwin Chong, the delegate of ASUM then asked who could assist an NSA, if it had no funds for mediation. Cik Low Beng Choo, Vice President of OCM clarified that before arbitration or mediation could proceed, the two parties in dispute have to agree on the terms and conditions, hence the question of cost should not arise. Dato' Sieh Kok Chi, Hon. Secretary of OCM, stated that OCM could consider providing some assistance, should an appeal be made.

7.40 With the above clarifications, the amended Sub-Articles 22.2, 22.3, 22.4, 22.5, 22.6 and 22.7, shown below, were unanimously approved.

7.41 **Sub-Article 22.2**

*Mediation shall be carried out by the process of appointing a mediator(s) by the parties concerned from the panel members of the ADR Mediation Committee of OCM. Before commencement of mediation, the mediator(s) shall be agreed to by both the parties concerned. The mediator's role is that he acts independently and facilitates the mediation process. The procedure to be decided by the mediator and agreed to by the parties concerned. If the mediation is successful, the parties shall sign an agreement agreeing to*

*the amicable settlement of the dispute and such agreement shall be final, conclusive and binding upon the parties.*

7.42 **Sub-Article 22.3**

*If, however, mediation fails then the unresolved dispute shall be referred to arbitration where the parties to the dispute shall agree and consent to an arbitrator(s) being appointed. The arbitrator(s) shall be appointed from the panel members of the ADR Arbitration Committee of the OCM. The governing Rules shall be made known to the parties concerned prior to the appointment of the arbitrator(s). The role of the arbitrator(s) is to arbitrate the dispute. He acts independently and adopts an acceptable procedure as agreed to be the parties or as provided by the rules. The arbitrator(s) shall at the conclusion of the arbitration process, make an Award which shall be binding on the parties concerned. The Award shall be binding on the parties unless challenged in which case Article 22.5 shall apply.*

7.43 **Sub-Article 22.4**

*The process of mediation and arbitration is an alternate means of resolving a dispute amicably pursuant to the Constitution and By-laws of OCM*

7.44 **Sub-Article 22.5**

*Any decision made by the OCM after the process of arbitration may be submitted exclusively by way of an appeal to the International Court of Arbitration for Sport (ICAS) in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of Sports-Related Arbitration. The time limit for appeal is twenty-one (21) days after the reception of the decision concerning the appeal.*

7.45 **Sub-Article 22.6 (New)**

*All national bodies shall first exhaust all available internal remedies if possible, pursuant to the Article/Clause of its own Constitution including disciplinary action before the commencement of the mediation or arbitration process.*

7.46 **Sub-Article 22.7**

*The OCM ADR Committee shall evaluate all written disputes submitted to it, for further action as deemed justified.*

7.47 **Sub-Article 27.4.2**

*The Notice of the AGA together with the audited Annual Statements of Accounts and the Annual Report for the previous year shall be circulated to the general membership at least **twenty-one (21) days** before the said AGA.*

7.47.1 The amendments in bold to existing Sub-Article 27.4.2 were unanimously approved.

7.48 **Sub-Article 29.5 (New)**

*The voting majority of OCM and its Executive Council shall always be with the Ordinary Members of sports included in the programme of the Olympic Games.*

7.48.1 The new Sub-Article 29.5 is to comply with IOC requirement and was unanimously approved.

7.49 Existing Sub-Article 29.5 was renumbered as Sub-Article 29.6

- 7.50 **Sub-Article 34.2**  
*The approval of the Constitution of the OCM by the IOC Executive Board is a condition for recognition. The same condition applies to any subsequent change or amendment to the Constitution of OCM.*
- 7.50.1 The existing Sub-Article 34.2 was replaced by the new Sub-Article 34.2 in order to comply with IOC requirement. The new Sub-Article 34.2 was unanimously approved.
- 7.51 **Sub-Article 36.3 (New)**  
*The Constitution of the OCM shall, at all times, comply with the Olympic Charter to which it must refer expressly. If there is any doubt as to the signification or interpretation of the Constitution of the OCM, or if there is a contradiction between such Constitution and the Olympic Charter, the latter takes precedence.”*
- 7.51.1 The new Sub-Article 36.3 is to comply with IOC requirement and was unanimously approved.
- 7.52 **Bye-Law to Article 27. Rule 2**  
*At least one (1) month before the notification for the holding of the Annual General Assembly (AGA), the OCM shall submit the list of its Ordinary Members to the Commissioner of Sports to verify their status.*
- 7.53 **Bye-Law to Article 27. Rule 3 (new)**  
*If no reply is received from the Office of the Commissioner of Sports to the contrary within thirty (30) days thereof, the AGS shall proceed as scheduled.*
- 7.54 **Bye-Law to Article 27.**  
Existing Rules 3 to 10 changed to Rules 4 to 11.
- 7.55 **Bye-Law to Article 27. Rule 12 (new)**  
*Only accredited delegates, who are issued with official non-transferable OCM Accreditation Cards, are eligible to vote.*
- 7.56 **Bye-Law to Article 27.**  
Existing Rules 11 and 12 changed to 13 and 14.
- 7.57 **Bye-Law to Sub-Article 17.1.5**  
The Chairman presented the list of duties of the following Committees of OCM for approval by the 27<sup>th</sup> General Assembly: Selection, Discipline, Finance, Marketing & Sponsorship, Sports for All, Sports, & Sports & Environment, Legal Advisory & Alternate Dispute Resolution (ADR), Women & Sport, Building, Sport Museum & Hall of Fame, Medical & Doping.
- 7.57.1 The list of duties of the above Committees of OCM were unanimously approved.
- 7.58 **Bye-Law to Sub-Article 5.9 – Fundamental Rationale for the Code and the OCM’s Anti-Doping Rules.**  
YBhg. Datuk Dr. M. Jegathesan, the Deputy President of OCM and Chairman of the OCM Medical & Doping Committee, presented the Bye Law to Sub-Article 5.9, which is on the World Anti-Doping Agency (WADA) Code. He informed the delegates that the IOC and WADA required all NOCs to comply with the WADA Code by November

2008. Failure to do so could lead to disciplinary action being taken by the IOC on the NOC concerned.

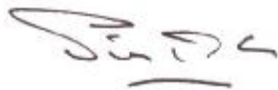
7.58.1 In order to be WADA Code compliant, each NOC must have its own Anti-Doping Rules. The Bye Law to Sub-Article 5.0 is OCM's Anti-Doping Rules, which comply with the WADA Code. He briefly went through the various sections of the Bye-Law, covering WADA Code and application of Anti-Doping Rules, Obligations of OCM, Testing, Breaches and Sanctions, Notifications, Appeals and Reviews.

7.58.2 After the briefing, the delegates unanimously approved the Bye-Law to Sub-Article 5.9.

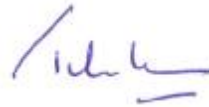
8. **ANY OTHER BUSINESS FOR WHICH DUE NOTICE IN WRITING SHALL HAVE BEEN GIVEN TO THE HONORARY SECRETARY, AT LEAST FOURTEEN (14) DAYS BEFORE THE 27<sup>TH</sup> ANNUAL GENERAL ASSEMBLY.**

8.1 The Honorary Secretary reported that no notice in writing was received for any business to be considered at the 27<sup>th</sup> Annual General Assembly.

9. The 27<sup>th</sup> OCM Annual General Assembly was adjourned with a vote of thanks to the Chair at 4.00 p.m.



(Dato' Sieh Kok Chi)  
Honorary Secretary  
Olympic Council of Malaysia



(Tunku Tan Sri Imran ibni Tuanku Ja'afar)  
President  
Olympic Council of Malaysia