



## **MALAYSIAN INSTITUTE OF TAXATION**

Minutes of the 15<sup>th</sup> Annual General Meeting (AGM) of the Malaysian Institute of Taxation held on Saturday, 30 June 2007 at 9.30 a.m. at Ballroom A, 2nd Floor, Best Western Premier Seri Pacific Kuala Lumpur, 50470 Kuala Lumpur.

Present : Tuan Haji Abdul Hamid Mohd Hassan  
Mr Lim Heng How  
Mr Khoo Chin Guan  
Dr Ahmad Faisal Bin Zakaria  
Mr Aruljothi Kanagaretnam  
Mr Chow Kee Kan  
Mr Harpal Singh Dhillon  
Dr Jeyapalan Kasipillai  
Dato' Liew Lee Leong @ Raymond Liew  
Mr Lim Kah Fan  
Mr Lim Thiam Kee, Peter  
Mr Neoh Chin Wah  
Dr Veerinderjeet Singh  
Mr Venkiteswaran Sankar  
Mr Adrian Yeo

Absent with apologies: En Nujumudin Bin Mydin

A total number of 81 members attended as recorded in the attendance register as per Appendix 1.

In Attendance : Ms Sunita Nathan  
Ms Mariah Tasbi Abd. Wahid

### **1. CALL TO ORDER**

The Chairman called the meeting to order at 9.30 am.

### **2. NOTICE OF MEETING**

The Chairman took the notice of the meeting as read, having confirmed there were no issues relating to the validity of the meeting.

### **3. DETERMINATION OF QUORUM**

The Executive Director confirmed that there were 80 members present at the commencement of the meeting.

The Chairman proceeded to call the meeting to order as there was a valid quorum present.

#### **4. AGENDA 1**

##### **PRESIDENT'S ADDRESS**

4.1 The Chairman thanked members for the support to the Institute and briefed the members on the current developments and activities of the Institute, highlighting the following matters:

- (i) The Institute continued to maintain good relations with the Ministry of Finance (MoF), the Lembaga Hasil Dalam Negeri (LDHN), the Royal Customs Malaysia (RCM) and Ministry of International Trade and Industry (MITI).
- (ii) The Institute aimed to be a regulatory body to the tax agents. It was noted that with the recent guidelines issued by the MoF where tax agents were required to accumulate 30 CPD points in order to renew their licenses, tax agents could attend the National Tax Conference, which was conducted exclusively by the Institute to 25 CPD points.
- (iii) The Institute was a founder member of AOTCA and had been given the honour of hosting the next AOTCA General and Extraordinary Meeting as well as the second AOTCA International Convention in 2007. The Conference Organising Committee chaired by Mr Khoo Chin Guan was working towards scheduling the events from 21 to 23 November 2007.
- (iv) The Institute maintained a good rapport with the Chartered Institute of Taxation, UK (CIOT) and was formulating various exchange programme with CIOT.
- (v) The Institute had been approached to host the World Tax Conference in the near future.
- (vi) The President was a member of the Consultative Panel of the Professional Services Development Corporation (PSDC) which was looking into enhancing capacity building for export of services.
- (vii) The Honourable Minister of International Trade and Industry had suggested during a courtesy call on her by the Office Bearers, that the Institute should become the authority in advising entrepreneurs in all matters relating to taxation.
- (viii) The Institute was in the midst of preparing for the 2007 National Tax Conference (NTC) where the Institute was targeting over 1,500 participants and over 1,000 participants had registered to date.

The Chairman concluded his presentation and proposed that the meeting deals with item 4 of the Agenda which would allow sufficient time to tabulate and count the ballots and announce the results. The meeting unanimously agreed to the change.

## **5. AGENDA 4**

### **TO ELECT FOUR COUNCIL MEMBERS FOR THE TERM JULY 2007 TO JUNE 2008**

#### **RETIREMENT AND ELECTION OF COUNCIL MEMBERS**

5.1 The Chairman announced that four (4) Council Members, namely Tuan Haji Abdul Hamid bin Mohd Hassan (590), Dr Veerinderjeet Singh (457), Dr Jeyapalan Kasipillai (144) and Mr Lim Heng How (319) retired pursuant to Article 59 of the Institute's Memorandum and Articles of Association.

5.2 The Chairman announced that three (3) of the retiring Council Members, namely Dr Veerinderjeet Singh, Dr Jeyapalan Kasipillai and Mr Lim Heng How, being eligible, had offered themselves for re-election.

The Chairman informed the members that he would not be seeking re-election.

5.3 The Chairman announced that in addition, nominations had been received from five (5) members of the Institute, namely Mr Micheal Tong Yin Shiew (180), Mr Lew Nee Fook (1840), Mr Seah Cheoh Wah (39), En Ahmad Mustapha bin Ghazali (1) and Mr Loo Thin Tuck (1624). A brief curriculum vitae of all eight (8) candidates standing for re-election and nominated candidates was then circulated to the members present.

5.4 The Chairman informed the members that as there were eight (8) nominations received for the four (4) vacancies, an election would be held.

5.5 The Chairman invited all eight (8) candidates to introduce themselves to members present.

5.6 Upon a proposal by Mr Lew Nee Fook (1840) and seconded by Mr Wong Seng Chong (188), the Chairman proceeded with the ordinary resolution to elect four Council members for the term July 2007 to June 2008 by a secret ballot pursuant to Article 49 (1) of the Institute's Articles of Association.

5.7 The Council appointed Mr Venkiteswaran Sankar as the Chief Scrutineer for this election process. The Chairman invited Mr Venkiteswaran to explain the balloting procedure to members present at the meeting.

5.8 Mr Venkiteswaran expressed gratitude of the Council to Tuan Haji Abdul Hamid bin Abd Hamid, who had served as President for past two terms and for his contribution to the Institute.

- 5.9 Mr Venkistewaran then informed the meeting that four members were present in person having first submitted proxies and advised the members to withdraw their proxies or leave the meeting hall. Mr Venkiteswaran then proceeded to explain the election process and informed members that Mr Rabin and Ms Josephine Danker were appointed as scrutineers to assist him in the balloting process.
- 5.10 Mr Venkiteswaran then proceeded to invite all members and proxy holders to collect the ballot slips from the secretariat table and cast their votes. Ballot boxes were placed in four corners of the meeting room for members to place their ballot slips, once they had cast their votes.
- 5.11 Mr Ventikeswaran and the scrutineers then left the meeting room to count the ballot slips after all members had cast their votes. The Chairman then proceeded with item 2 on the Agenda.

## **6. AGENDA 2**

### **ANNUAL REPORT OF THE COUNCIL**

- 6.1 The Chairman announced that the Annual Report had been circulated to all members pursuant to Article 64 of the Articles of Association.
- 6.2 The Chairman requested for a proposal to receive the motion to table the Annual Report of the Institute. Mr. Ng Soo Har (1977) proposed that the Annual Report be received and the proposal was seconded by Dr. Veerinderjeet Singh (457). The Chairman announced that the Annual Report of the Institute be received.
- 6.3 The Chairman put the motion to receive the Annual Report to vote. The resolution was adopted and carried as there were 20 members in favour, 1 against and the rest had abstained.

## **7. AGENDA 3**

### **STATEMENT OF ACCOUNTS**

- 7.1 The Chairman announced that the Statement of Accounts of the Institute for the financial year ended 31 December 2006 together with the report of the Auditors had been circulated earlier, pursuant to Article 64 of the Articles of Association and Section 169 of the Companies Act, 1965.
- 7.2 Upon a proposal from Mr Wong Seng Chong (188) and seconded by Mr Chow Kee Kan (11), the Chairman announced that the statement of accounts of the Institute for the financial year ended 31 December 2006 together with the report of auditors be received.
- 7.3 The Chairman then put the motion to vote. There were 27 members in favour, none against and the rest abstained. The Chairman declared the resolution carried.

7.4 The Chairman then allowed questions from members relating to the Annual Report and Statement of Accounts.

Mr Wan Chee Khei (2233) commented that there were committee members who did not attend any committee meetings during the period. The Chairman assured members that the new Council would ensure that every committee member contribute to their respective committee.

Mr Wan Chee Khei (2233) also enquired about the reduction in the amount of bank loan and cash and bank balances. Mr Lim Heng How explained that the Council had requested for a reduction in the bank loan and it had taken a year for the bank to agree to reduce the amount of loan outstanding by RM200,000. Mr Lim Heng How further explained that the amount of cash and bank balances include LHDNM's share of profit for NTC 2006 of approximately RM189,000 which was paid out in January 2007.

Mr Wan Chee Khei (2233) further enquired about the amount of sundry income and examinations expenses which were higher than the previous year. Mr Lim Heng How explained that there was an amount of RM45,700 reported as amount due to Malaysian Institute of Accountants (MIA) in the previous years. However, since MIA had confirmed that there was no outstanding amount owing by the Institute, it was agreed that the amount be written back. Mr Lim Heng How further explained that the examination expenses were relatively higher due to increased in the cost of renting the examination hall and for payment of honorariums to examiners for the past two years (2005 and 2006).

Mr Chong Lip Chee (2041) said that attending CPD events was too costly. The Chairman assured him that the new Council and the CPD committee will look into the matter.

Mr Lau Yaw Joo (287) referred to the statement on Benefits of Council Members on page 28 of the report. Mr Khoo Chin Guan assured him that the new Council would discuss the matter with the Institute's auditors. Mr Lau Yaw Joo further enquired on the expenses for equipment rental which was higher than the previous year. Mr Lim Heng How explained that those expenses were for rental of a photocopier.

Mr Lau Yaw Joo also highlighted that there was an event held in Kuching in January 2007 which was not reported under the events calendar (page 19). The Chairman acknowledged the error in the report.

Mr Lim Heng How further explained to Mr Lau Yaw Joo that the cost of printing and stationeries included expenses relating to CPD events. The Institute organised more events in 2006 compared to 2005 especially outstation events. In relation to the increase in staff costs, Mr Lim Heng How explained that staff costs in 2006 consist of bonus paid to staff in 2005 and 2006.

To a question on whether income from subscriptions was recognised on a receipt basis (page 35), Mr Lim Heng How was unable to confirm but assured members that the incoming Council and Finance Committee would look into the matter. Mr Lim Heng How further explained that a

member's benefit would be suspended once he failed to settle his subscription more than three months from the due date of 31 January annually.

## **8. AGENDA 5**

### **APPOINTMENT OF AUDITORS**

8.1 The Chairman announced that the retiring auditors, M/s Monteiro & Heng being eligible, had offered themselves for re-appointment for the ensuing year at a remuneration to be mutually agreed upon with the Council.

8.2 Upon a proposal by Mr Harpal Singh Dhillon (555) and seconded by Dr Jeyapalan Kasipillai (144), the Chairman put forward the resolution to appoint M/s Monteiro & Heng to a vote.

8.3 The Chairman allowed questions relating to the appointment of the auditors.

Mr Wan Chee Khei (2233) suggested that the auditor be invited to attend the AGM to answer questions relating to the Auditors Report. Mr Chong Lip Chee (1977) suggested the Institute to change auditor. The Chairman assured him that the new Council will look into the matter.

8.4 There being no other questions, the Chairman put the resolution to vote and the resolution was carried as 26 members were in favour, 3 against and 4 abstentions.

## **9. AGENDA 6**

### **ANY OTHER BUSINESS**

9.1 The Chairman enquired whether there were any other matters for deliberation pursuant to the Articles of Association of the Institute. The Executive Director replied that no such notice had been received to discuss any other matters.

## **10. OTHER MATTERS**

Mr Wan Chee Khei (2233) expressed his dissatisfaction at the election process as members were not allowed enough time to cast their vote. The Chairman explained that at the previous year's AGM, the Institute had paid RM5,000 to M/s Monteiro & Heng to be the scrutineers, however the Council had subsequently agreed to handle the election process internally. The Chairman assured members present that the Council would look into the matter.

Mr Lau Yaw Joo (287) requested that postal ballots be allowed in future. The Chairman informed the meeting that the Institute's M&A was currently being reviewed by the Council to enhance the election process. Mr Lau Yaw Joo further noted that there were members in Sarawak who had not received their

proxy forms. Mr Micheal Tong (180) voiced his concern that some members in Sabah, too, did not receive their proxy forms. The Chairman noted the concerns and assured members that the Council would look into the matter. En Ahmad Mustapha Ghazali (1) again reiterated that the Council should try to enhance the election process to allow members to vote directly with the Institute. Mr Neoh Chin Wah (699) suggested that the Institute's M&A be reviewed to handle the issues of proxies.

Mr Gabriel Teo Chun (2417) suggested that the Institute enlarge the membership of the Council. The Chairman assured the meeting that the Council would look into the matter.

## **11. ANNOUNCEMENT OF ELECTED COUNCIL MEMBERS**

11.1 At 11.30 a.m., the Chairman received the results of the ballot votes for the election of the Council members from Mr Ventikeswaran. He then proceeded to announce the members elected to the Council, who were Mr Lew Nee Fook (1840), Mr Lim Heng How (319), Dr Jeyapal Kasipillai (144) and Dr Veerinderjeet Singh (457).

11.2 The Chairman thanked Mr Venkiteswaran and his team for an excellent job and congratulated the newly elected Council members.

The Branch Chairmen of each of the branches then gave a brief report on their respective branch activities.

## **12. TERMINATION OF MEETING**

12.1 The Chairman thanked all members present at the meeting.

12.2 The Chairman declared the meeting terminated at 11.45 a.m. with a vote of thanks to the Chair from members of the floor.

Signed as a correct record.

President

29 November 2007