



MALAYSIAN INSTITUTE OF TAXATION

Minutes of the AGM 14th Annual General Meeting (AGM) held on Saturday, 29 July 2006 at 10am at Ballroom A, 6th Floor, Hilton Kuala Lumpur, No.3, Jalan Stesen Sentral, 50470 Kuala Lumpur.

Present :

- Tuan Haji Abdul Hamid Mohd Hassan
- Mr. SM Thaneermalai
- Mr. Lim Heng How
- Mr. Harpal Singh Dhillon
- Dr. Ahmad Faisal Bin Zakaria
- Dr. Jeyapalan Kasipillai
- Mr. Aruljothi Kanagaretnam
- Mr. Khoo Chin Guan
- Mr. Andrew Kok Keng Siong
- Dato' Liew Lee Leong @ Raymond Liew
- Mr. Lim Kah Fan
- Mr. Neoh Chin Wah
- Dr. Veerinderjeet Singh
- Mr. Venkiteswaran Sankar
- Mr. Adrian Yeo

Absent with apologies: En Nujumudin Bin Mydin

A total number of 153 members attended as recorded in the attendance register as per Appendix 1.

In Attendance :

- Ms. Sunita Nathan
- Ms. Ajantha Thinakaran
- : Mr. Cheah Foo Seong, by invitation,
- representing PFA Corporate Services Sdn Bhd

1. CALL TO ORDER AND DETERMINATION OF QUORUM

1.1 The Chairman called the meeting to order at 10.00 am and the Secretary informed him that a quorum was present.

- 1.2 The Chairman conveyed apologies for the absence of En Nujumuddin Mydin (1819).

2. NOTICE OF MEETING

- 2.1 The Chairman enquired as to whether there were any objections to the validity of the meeting. No objections were raised.
- 2.2 The Chairman proposed that the notice of meeting be taken as read.
- 2.3 The proposal was seconded.

3. AGENDA 1

PRESIDENTS ADDRESS

- 3.1 The Chairman briefed the AGM on the current developments and activities of the Institute and highlighted the following issues:-
- (i) The Technical and Public Practice Department had addressed a number of technical issues including assisting and monitoring members with the regards to the new Section 153 guidelines, recommendations to MOF relating to the adoption of FRS (Financial Reporting Standards), postponement of GST by MOF, submission of various papers for the Tax Review Panel, MOF and also responding to the Technical Helpdesk in a prompt and efficient manner;
 - (ii) The Continuing Professional Development (CPD) Department had designed and run a number of training events which were well received by members. The COC Department was also in the midst of preparing for the 6th National Tax Conference and had to date registered approximately 1200 people.
 - (iii) The Membership Department had introduced and has been successfully implementing the electronic communication system early this year. The total number of members has increased almost 50% compared to last years increase i.e. approximately 2350 members as at date of AGM.
 - (iv) The Institute Examinations were successfully held on 19-23 December 2005 at nine centres nationwide. The number of students who registered for the examinations have increased over the last few years.

- (v) Tax Nasional - the Institute's quarterly journal – continues its ongoing effort to improve the content and layout of the journal . Again the request for more writers and contributors was made. As an incentive potential writers were informed that contributions to the journal would be credited with CPD hours which would be useful when members apply for the renewal of their tax agents licence.
- (vi) Having attended the AOTCA General and Extraordinary Meeting in Manila, Philippines in November 2005, MIT has been given the honour of hosting the next AOTCA General and Extraordinary Meeting as well as the second AOTCA International Convention in 2007.
- (viii) The President also expressed his gratitude to En Ahmad Mustafa Ghazali for handing him a healthy and vibrant Institute to helm.
- (ix) The Institute registered its deep appreciation and thanks to Council member Mr. SM Thaneermalai who retired and who would not be seeking re-election in this election.

4. AGENDA 2 and AGENDA 3

RETIREMENT AND ELECTION OF COUNCIL MEMBERS

- 4.1 The Chairman announced the retirement of four (4) Council Members, namely Mr. Harpal Singh Dhillon (555), Mr. Neoh Chin Wah 699), Mr. SM Thaneermalai (149) and Mr. Andrew Kok Keng Siong (20) pursuant to Article 59 of the Institute's Memorandum and Articles of Association .
- 4.2 The Chairman announced that three (3) of the retiring Council Members, namely Mr. Harpal Singh Dhillon, Mr. Neoh Chin Wah, and Mr. Andrew Kok Keng Siong being eligible had offered themselves for re-election.

The Chairman then informed the members that Mr. SM Thaneermalai (149) had withdrawn his nomination and would not be seeking re-election.
- 4.3 The Chairman thereafter announced that nominations had been received for eight (8) members of the Institute, namely Mr. Chow Kee Kan (11), Mr.Lim Thiam Kee (2486), Mr. Lew Nee Fook (1840), Mr. Tan Leh Kiah (1365), Mr. Loo Tin Tuck (1624), Mr. Harpal Singh Dhillon (555), Mr. Neoh Chin Wah (699), and Mr. Andrew Kok Keng Siong (20).
- 4.4 The Chairman then informed the members that as there were eight (8) nominations for the four (4) vacancies, an election would be held.

- 4.5 Mr. Liew Nee Fook (1840) proposed that Mr. SM Thaneermalai (149) be appointed as an MIT advisor.
- 4.6 Mr. SM Thaneermalai (149) expressed his gratitude to Mr. Mr. Liew Nee Fook (1840) but felt that there were many other more senior members and members more qualified than him.
- 4.7 The Chairman then invited the eight (8) candidates to speak and introduce themselves to members present which they did briefly.
- 4.8 The Chairman then proceeded to explain that Monteiro & Heng, the Institute's auditors, had been appointed as scrutineers for this election.
- 4.9 The Chairman then explained the election process and requested the members present to cast their votes.
- 4.10 En. Abdul Rahman (1436) requested clarification regarding a particular letter signed by the Honorary Secretary before the voting commenced.
- 4.11 The Honorary Secretary, Mr. Harpal Singh Dhillon (555) responded.

5. AGENDA 4

MINUTES OF THE 13TH ANNUAL GENERAL MEETING

- 5.1 The Chairman announced that the minutes of the 13th AGM had been circulated earlier.
- 5.2 As there were no issues raised, Mr. MB Gathani (196) proposed that the minutes of the 13th AGM be received.
- 5.3 This was seconded by En Abdul Rahman (1436).

6. AGENDA 5 and AGENDA 6

STATEMENT OF ACCOUNTS

- 6.1 The Chairman confirmed that the Statement of Accounts of the Institute for the year ended 31 December 2005, the Council's report together with the report of the auditors had been circulated earlier.
- 6.2 The Chairman then opened the floor to questions pertaining to the Statement of Accounts.

Mr. Neoh Chin Wah (699) suggested that the word "appointed" used in page 27 is incorrect and should be replaced by the word "elected".

Mr. Venkiteswaran Sankar (1769) stood up to state that the word "appointed" was correct and that there was no need to change. He continued to say that the names of En Ahmad Mustapha (1) and Mr. Chow Kee Kan (11) had been inadvertently left out as advisors. He stressed that they must be mentioned and thanked. He also cautioned that Mr. SM Thaneermalai (149) must be mentioned in the AGM Report 2007 if he had been actually appointed as an Advisor. Lastly he suggested that the incoming Council establish an education trust fund to channel the profits generated from MIT.

Mr. Neoh Chin Wah reiterated that the word "appointed" was incorrect.

The Company Secretary, Mr. Cheah Foo Seong, said that as the Institute is a company limited by guarantee, council members are actually like directors of a private limited company. Council members are appointed through an election at the AGM. This is different from council members who are appointed to fill in vacancies. The words "appointed" and "elected" may be used interchangeably in this context.

A member wanted to know what the words "company limited by guarantee" meant.

Mr. Cheah Foo Seong, the PFA representative, replied that as there was no share capital it was not a blanket guarantee but is subject to the amount stated in the Articles of Association of the Institute and shall only be called in the event of winding up. Mr. Wong Seng Chong (188) continued to say that member's liability was limited to Ringgit Malaysia One Hundred (RM100-00) only as stated in the Institute's Articles of Association.

The Chairman then said that the Institute's Articles of Association did not provide for the Advisors and that's why it was not mentioned in the AGM Report although the Council seeks their advice. He went on to say that from now on the new Council would set up a Committee to enshrine the Advisors in the Institute's Articles of Association.

Tan Sri Lau Ban Tin (1000) proposed that the extra cash benefit in hand be utilized to reduce the term loan for the building and /or reduce the interest payments towards the Institute's premises.

Mr. Lim Heng How (319) said that the Institute would take it into consideration but perhaps not immediately as the Institute had negotiated very favorable loan repayment terms.

Mr. MB Gathani (196) requested the office bearers to explain the cash & bank balances and publishing income and expenditure. Mr. Harpal Singh Dhillon (555) replied that the Publications income was higher last year due to the sales of the MIT Handbook and further that the Publications Committee was working on a revised draft for the second (2nd) Edition.

Mr. Steven Tin (2203) referred to Page 37 Items No 4, 5 and 7 and requested a breakdown of the same. Mr. Lim Heng How (319) provided an explanation, among others, that membership fees must be paid by 1st January. He continued to say that a member who was in arrears for more than 3 months was not entitled to membership benefits. Nevertheless MIT would still allow members to renew their membership by paying the subscription fees for the year after the three month date at which time the members would continue receiving benefits as from date of payment received by MIT.

Mr. Richard Thornton (1029F) was confused as to the actual date when membership ceases. The Chairman responded that if a member fails to pay within three months of that date (i.e. 1st of January), the member loses the benefits of being a member.

Mr. Steven Tin (2203) and Mr. Lai Wooi Hean (917) referred to Page 35 item (g) to state that income from subscriptions were recognized on an "accrual" basis.

Mr. DJ Lourdes (916) requested that the CPD courses be less expensive for members of the Institution. The Chairman assured him that the new Council and CPD Committee would look into it.

Mr. Ng Soo Har @ Ng Seet Kow (1977) asked what the RM6,800-00 for professional fees was. The Chairman explained that was the legal fees for the purchase of the Institute's premises.

Mr. Goh Chooi Eam (689) requested that the AGM be held earlier next year.

Mr. MB Gathani (196) agreed with Mr. DJ Lourdes (916) request that the CPD courses be less expensive for members of the Institution. He suggested that the Annual Report be printed in CD Rom format to cut costs and also that the future AGM's be held in less expensive places. Mr. Lim Heng How (319) and Mr. Eric Khoo disagreed.

Tan Sri Lau Ban Tin (1000) proposed that the Statement of Accounts of the Institute for the year ended 31 December 2005 and the report of the auditors be received and adopted. This was seconded by Mr. MB Gathani (196).

7. AGENDA 7**APPOINTMENT OF AUDITORS**

- 7.1 The Chairman announced that the retiring auditors Monteiro & Heng being eligible, had offered themselves for re-appointment as auditors for the ensuing year at a remuneration to be mutually agreed upon.
- 7.2 It was resolved that that the retiring auditors Monteiro & Heng be re-appointed as auditors for the ensuing year at remuneration to be agreed upon. This was seconded by Mr. Wong Seng Chong.

8. AGENDA 8**ANY OTHER BUSINESS**

- 8.1 The Chairman enquired as to whether there had been any motions/resolutions pursuant to Article 35 to amend the Memorandum & Articles of Association of the Institute. The Honorary Secretary replied that no such notice had been received.

9. AGENDA 9**ANY OTHER MOTION SERVED**

- 9.1 The Chairman enquired as to whether notice of any motion/resolution had been served upon the Institute for this, the 14th, AGM pursuant to Article 40. The Honorary Secretary replied that no such notice had been received.

The Branch Chairmen of each branch gave a brief run-down on their respective branch activities.

The Chairman then announced a short adjournment till 2.00 pm for the announcement of the elected Council Members.

10. ANNOUNCEMENT OF ELECTED COUNCIL MEMBERS

- 10.1 At 2.00 pm the Chairman announced that the members elected to the Council were Mr. Peter Lim Thiam Kee (2486), Harpal Singh Dhillon (555), Chow Kee Kan (11) and Neoh Chin Wah (699).
- 10.2 The Chairman then congratulated the newly elected Council members and thanked the unsuccessful candidates for their interest in serving the Council.

11. CLOSE OF MEETING

- 11.1 The Chairman thanked all members present at the meeting.
- 11.2 The Chairman declared the meeting closed at 2.15 pm with a vote of thanks to the chair from members of the floor.

Signed as a correct record.


Chairman