

P.U. (A) 130.

AKTA KOPERASI 1993

**PERATURAN-PERATURAN KOPERASI (MAJLIS PERUNDINGAN
KOPERASI KEBANGSAAN) 2010**

SUSUNAN PERATURAN-PERATURAN

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AKTA KOPERASI 1993

PERATURAN-PERATURAN KOPERASI (MAJLIS PERUNDINGAN
KOPERASI KEBANGSAAN) 2010

PADA menjalankan kuasa yang diberikan oleh perenggan 86(2)(m) Akta Koperasi 1993 [Akta 502], Suruhanjaya, dengan kelulusan Menteri, membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Koperasi (Majlis Perundingan Koperasi Kebangsaan) 2010**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 3 Mei 2010.

Tafsiran

2. Dalam Peraturan-Peraturan ini, melainkan jika konteksnya menghendaki makna yang lain, "Majlis" ertinya Majlis Perundingan Koperasi Kebangsaan yang ditubuhkan di bawah peraturan 3.

Penubuhan Majlis

3. Suatu majlis yang dikenali sebagai Majlis Perundingan Koperasi Kebangsaan ditubuhkan.

Fungsi Majlis

4. Majlis hendaklah mempunyai fungsi yang berikut:

- (a) mewujudkan suatu forum bagi menentukan hala tuju pembangunan pergerakan koperasi;
- (b) menyelaraskan dan mempertingkatkan kerjasama antara Kerajaan Persekutuan dengan Kerajaan Negeri dalam membangunkan pergerakan koperasi;
- (c) bertindak sebagai suatu forum untuk membincangkan perkara yang berkaitan dengan pembangunan koperasi;
- (d) menimbang dan mengendorskan apa-apa cadangan penambahbaikan kepada Dasar Koperasi Negara;
- (e) mewujudkan kerjasama di kalangan pihak-pihak yang terlibat dalam pembangunan koperasi;

- (f) memperkukuhkan pergerakan koperasi dengan menggalakkan rangkaian kerja, perkongsian maklumat, kepakaran serta pengalaman di kalangan pihak-pihak yang mempunyai kepentingan dalam sektor koperasi;
- (g) menimbang dan mencadangkan program latihan, kemahiran dan pendidikan koperasi ke arah peningkatan perniagaan dan keusahawanan koperasi melalui kefahaman dan penghayatan prinsip dan falsafah koperasi; dan
- (h) menjalankan fungsi-fungsi lain yang dipersetujui oleh Pengerusi.

Keanggotaan

5. (1) Majlis hendaklah terdiri daripada anggota yang berikut:

- (a) Menteri sebagai Pengerusi;
- (b) Ahli Majlis Mesyuarat atau wakil Kerajaan Negeri yang dipertanggungjawabkan dengan tanggungjawab bagi pembangunan koperasi;
- (c) Ketua Setiausaha Perbendaharaan, Kementerian Kewangan atau wakilnya;
- (d) Ketua Pengarah Unit Perancang Ekonomi, Jabatan Perdana Menteri atau wakilnya;
- (e) Ketua Setiausaha Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan atau wakilnya;
- (f) Ketua Setiausaha Kementerian Pertanian dan Industri Asas Tani atau wakilnya;
- (g) Ketua Setiausaha Kementerian Kemajuan Luar Bandar dan Wilayah atau wakilnya;
- (h) Ketua Setiausaha Kementerian Pelajaran atau wakilnya;
- (i) Ketua Setiausaha Kementerian Pengajian Tinggi atau wakilnya;
- (j) Ketua Pengarah Lembaga Kemajuan Ikan Malaysia yang ditubuhkan di bawah Akta Lembaga Kemajuan Ikan 1971 [Akta 49] atau wakilnya;
- (k) Ketua Pengarah Lembaga Pertubuhan Peladang yang ditubuhkan di bawah Akta Pertubuhan Peladang 1973 [Akta 109] atau wakilnya;
- (l) Pengerusi Eksekutif Suruhanjaya Koperasi Malaysia atau wakilnya;
- (m) Pengarah Maktab Kerjasama Malaysia yang ditubuhkan di bawah Akta Maktab Kerjasama (Pemerbadanan) 1968 [Akta 437] atau wakilnya;
- (n) Pengarah Urusan Bank Kerjasama Rakyat Malaysia Berhad yang ditubuhkan di bawah Akta Bank Kerjasama Rakyat Malaysia Berhad (Peruntukan Khas) 1978 [Akta 202] atau wakilnya;

- (o) Yang Di Pertua Angkatan Koperasi Kebangsaan Malaysia Berhad (ANGKASA) atau wakilnya;
- (p) tidak lebih daripada tiga orang wakil akademik yang pengalaman mereka boleh, pada pendapat Menteri, membantu Majlis, yang dilantik oleh Menteri;
- (q) tidak lebih daripada tiga orang wakil sektor swasta yang pengalaman mereka boleh, pada pendapat Menteri, membantu Majlis, yang dilantik oleh Menteri; dan
- (r) anggota mana-mana koperasi yang tidak melebihi lima belas orang yang dilantik oleh Menteri.

(2) Suatu urusan setia yang akan membantu Majlis dalam menjalankan fungsinya secara berkesan dan cekap hendaklah ditubuhkan.

Pelantikan, pembatalan dan peletakan jawatan

6. (1) Tertakluk kepada apa-apa syarat sebagaimana yang dinyatakan dalam surat cara pelantikannya, seseorang anggota Majlis yang dilantik di bawah perenggan 5(p), (q) dan (r) hendaklah memegang jawatan selama tempoh tidak melebihi dua tahun dan layak dilantik semula.

(2) Pengerusi boleh pada bila-bila masa membatalkan pelantikan mana-mana anggota Majlis yang dilantik di bawah perenggan 5(p), (q) dan (r) tanpa memberikan apa-apa sebab bagi pembatalan itu.

(3) Mana-mana anggota Majlis boleh pada bila-bila masa meletakkan jawatannya dengan memberikan notis bertulis kepada Pengerusi.

Pengosongan jawatan

7. Jawatan seseorang anggota Majlis hendaklah menjadi kosong jika—

- (a) berhubung dengan mana-mana anggota Majlis yang dilantik di bawah perenggan 5(p), (q) dan (r)—
 - (i) dia mati;
 - (ii) telah dibuktikan terhadapnya, atau jika dia telah disabitkan atas sesuatu kesalahan jenayah—
 - (A) yang melibatkan fraud, kecurangan atau keburukan akhlak;
 - (B) di bawah mana-mana undang-undang yang berhubungan dengan rasuah; atau
 - (C) yang boleh dihukum dengan pemenjaraan, sama ada pemenjaraan sahaja atau sebagai tambahan kepada denda atau sebagai ganti denda, tidak melebihi dua tahun;

- (iii) dia menjadi bankrap;
 - (iv) dia tidak sempurna akal, atau atas apa-apa sebab lain, tidak berupaya menunaikan kewajipannya;
 - (v) pelantikannya dibatalkan oleh Menteri; atau
- (b) peletakan jawatannya diterima oleh Menteri.

Elaun

8. (1) Semua anggota Majlis hendaklah dibayar apa-apa elaun sebagaimana yang ditentukan oleh Pengerusi.

(2) Walau apa pun subperaturan (1), elaun bagi anggota Majlis yang terdiri daripada pegawai awam adalah tertakluk kepada pekeliling perkhidmatan yang dikeluarkan oleh Kerajaan dari semasa ke semasa.

Penzahiran kepentingan

9. (1) Jika mana-mana anggota Majlis mempunyai apa-apa kepentingan benefisial dalam apa-apa perkara yang sedang dipertimbangkan oleh Majlis, dia hendaklah dengan serta-merta mengisytiharkan jenis dan takat kepentingannya dalam perkara yang dipertimbangkan itu kepada Pengerusi atau mana-mana anggota lain yang mempengerusikan mesyuarat itu.

(2) Penzahiran kepentingan di bawah subperaturan (1) hendaklah direkodkan dalam minit mesyuarat atau nota prosiding dan Majlis hendaklah memutuskan sama ada boleh atau tidak anggota itu mengambil bahagian dalam prosiding mesyuarat, atau selainnya.

Mesyuarat Majlis

10. (1) Majlis hendaklah bermesyuarat pada bila-bila masa sebagaimana yang dinyatakan oleh Pengerusi tetapi tidak kurang daripada dua kali setahun.

(2) Jika Pengerusi atas apa-apa sebab tidak dapat mempengerusikan mana-mana mesyuarat Majlis dia hendaklah melantik mana-mana anggota Majlis untuk menjalankan tugas sebagai seorang Pengerusi.

(3) Separuh daripada jumlah anggota Majlis yang hadir pada mana-mana mesyuarat hendaklah membentuk korum.

(4) Tiap-tiap anggota Majlis yang hadir berhak kepada satu undi.

(5) Semua keputusan Majlis hendaklah dibuat dengan undi majoriti mudah semua anggota Majlis yang hadir dan jika terdapat persamaan undi, Pengerusi mempunyai undi pemutus sebagai tambahan kepada undi biasanya.

(6) Tertakluk kepada Peraturan-Peraturan ini, Majlis boleh mengawal selia sendiri tatacara mesyuaratnya.

Dibuat 23 April 2010

[SKM.IP(AM): 7875; PN(PU²)527/XIII]

DATO' MANGSOR BIN SAAD
Pengerusi Eksekutif
Suruhanjaya Koperasi Malaysia

Diluluskan

DATO' SRI ISMAIL SABRI BIN YAAKOB
Menteri Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan

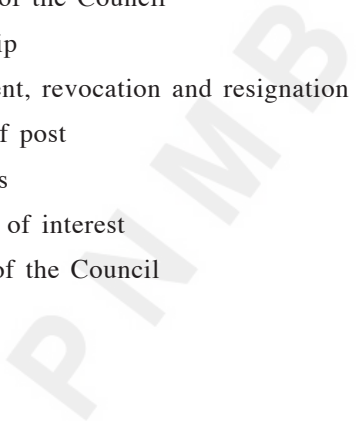
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CO-OPERATIVE SOCIETIES ACT 1993

CO-OPERATIVE SOCIETIES (THE NATIONAL CO-OPERATIVE
CONSULTATIVE COUNCIL) REGULATIONS 2010

ARRANGEMENT OF REGULATIONS

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CO-OPERATIVE SOCIETIES ACT 1993

CO-OPERATIVE SOCIETIES (THE NATIONAL CO-OPERATIVE
CONSULTATIVE COUNCIL) REGULATIONS 2010

IN exercise of the powers conferred by paragraph 86(2)(m) of the Co-operative Societies Act 1993 [Act 502], the Commission, with the approval of the Minister, makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Co-operative Societies (The National Co-operative Consultative Council) Regulations 2010**.

(2) These Regulations come into force on 3 May 2010.

Interpretation

2. In these Regulations, unless the context otherwise requires, "Council" means the National Co-operative Consultative Council established under regulation 3.

Establishment of Council

3. A council to be known as the National Co-operative Consultative Council is established.

Functions of the Council

4. The Council shall have the following functions:

- (a) to establish a forum which shall determine the direction of the development of the co-operative societies movement;
- (b) to coordinate and to enhance the cooperation between the Federal Government and the State Governments in developing the co-operative societies movement;
- (c) to act as a forum for discussing matters pertaining to the development of the co-operative societies movement;
- (d) to consider and to endorse any suggestion for the improvement to the National Co-operative Policy;
- (e) to establish cooperation amongst parties involved in the development of co-operatives societies;
- (f) to strengthen the co-operative societies movement by encouraging networking, sharing of information, expertise and experiences between parties having interest in the co-operative societies sector;

- (g) to consider and propose programmes in the training, skills and education of the co-operative societies towards enhancing co-operative societies business and entrepreneurship through the understanding and appreciation of the co-operative societies principles and philosophy; and
- (h) to perform other functions as consented by the Chairman.

Membership

5. (1) The Council shall comprises of the following members:

- (a) Minister as the Chairman;
- (b) Members of the Meeting Council or State representatives charged with the responsibility for the development of co-operative societies or its representative;
- (c) the Secretary General of Treasury, Ministry of Finance or its representative;
- (d) the Director General of the Economic Planning Unit, the Prime Minister Department or its representative;
- (e) the Secretary General of the Ministry of Domestic Trade, Co-operative Societies and Consumerism or its representative;
- (f) the Secretary General of the Ministry of Agriculture and Agro-based Industry or its representative;
- (g) the Secretary General of the Ministry of Rural and Regional Development or its representative;
- (h) the Secretary General of the Ministry of Education or its representative;
- (i) the Secretary General of the Ministry of High Education or its representative;
- (j) the Director General of the Fisheries Development Authority of Malaysia established under the Fisheries Development Authority Act 1971 [Act 49] or its representative;
- (k) the Director General of the Farmers' Organization Authority of Malaysia established under the Farmers' Organization Act 1973 [Act 109] or its representative;
- (l) the Executive Chairman of the Malaysian Co-operative Societies Commission or its representative;
- (m) the Director of the Co-operative College of Malaysia established under the Co-operative College (Incorporation) Act 1968 [Act 437] or its representative;
- (n) the Managing Director of Bank Kerjasama Rakyat Malaysia Berhad established under the Bank Kerjasama Rakyat Malaysia Berhad (Special Provisions) Act 1978 [Act 202] or its representative;

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- (o) the President of the National Co-operative Societies Organisation of Malaysia (ANGKASA) or its representative;
 - (p) not more than three representatives from the academicians, whose experiences, in the Minister's view, can assist the Council, appointed by the Minister;
 - (q) not more than three representatives from the private sector, whose experiences, in the Minister's view, can assist the Council, appointed by the Minister; and
 - (r) other members of the co-operative societies not exceeding fifteen persons appointed by the Minister.

(2) A secretariat to assist the Council in performing its functions shall be established.

Appointment, revocation and resignation

6. (1) Subject to the terms and conditions as stated in the letter of appointment, a member of the Council shall hold the post for a period of not exceeding two years and is eligible to be reappointed.

(2) The Chairman of the Council may at any time revoke the appointment of any member of the Council appointed under paragraphs 5(p), (q) dan (r) without providing any reason for the revocation.

(3) A member of the Council may at any time tender his resignation by giving a written notice to the Chairman.

Vacation of post

7. The post of a member of the Council shall become vacant if—

(a) in relation to any member of the Council appointed under paragraphs 5(p), (q) and (r)—

(i) he dies;

(ii) it has been proved against him, or if he has been convicted of a criminal offence—

(A) involving fraud, infidelity or immoral act;

(B) under any law involving corruption; or

(C) punishable with imprisonment, either imprisonment only, or in addition to a fine, or as a substitute to a fine, exceeding two years;

(iii) he becomes a bankrupt;

- (iv) he is mentally disabled or, due to some other reasons, is unable to perform his responsibilities;
 - (v) if a member's appointment is revoked by the Minister; or
- (b) his resignation is accepted by the Minister.

Allowances

8. (1) All members of the Council shall be paid any allowance as determined by the Chairman.

(2) Notwithstanding subregulation (1), the allowance for the members of the Council who are the public officers shall subject to the service circular issued by the Government from time to time.

Disclosure of interest

9. (1) If any member of the Council has any beneficial interest in any matter being considered by the Council, he shall immediately declare the type and extent of interest in the matter being considered to the Chairman or any other member chairing the meeting.

(2) Disclosure of interest under subregulation (1) shall be recorded in the minutes or the notes of proceedings and the Council shall determine whether the member may participate in the proceedings of the meeting, or otherwise.

Meetings of the Council

10. (1) The Council shall meet at any time as determined by the Chairman but shall not be less than twice a year.

(2) If, under any circumstances, the Chairman is unable to perform his duties, he shall appoint any member of the Council to perform the duties of the Chairman in his absence.

(3) Half of the total number of members of the Council present in any of the meetings shall form a quorum.

(4) Every member of the Council present shall have right to one vote.

(5) All decisions at a meeting of the Council shall be made by a simple majority of votes of all members of the Council present and if there is an equality of votes, the Chairman shall have a casting vote in addition to his deliberative vote.

(6) Subject to these Regulations, the Council may regulate its own meeting procedure.

Made 23 April 2010
[SKM.IP(AM): 7875; PN(PU²)527/XIII]

DATO' MANGSOR BIN SAAD
Executive Chairman
Malaysia Co-operative Societies Commission

Approved

DATO' SRI ISMAIL SABRI BIN YAAKOB
Minister of Domestic Trade, Co-operative
Societies and Consumerism

PNMB