

Malta Football Players Association



STATUTE



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ARTICLE 1 - NAME

1.

The name of the organisation will be “Malta Football Players Association”, hereby referred to as ‘MFPA’ or ‘the Association’.

2.

The official languages of the Association will be both Maltese and English.

3.

The Association may be a member and/or become affiliated with other organisations or entities, whether they be Maltese or international. Such organisations or entities include, but are not limited to sports and government organisations or entities.

4.

The Association’s address shall be agreed upon from time to time after a decision is taken by the executive committee.

ARTICLE 2 – OBJECTIVES

1.

The main objectives of the Association are:

- (i) To serve as an association for its members and strive for the most favourable labour conditions for the players;
- (ii) To increase the collaboration between football players;
- (iii) To obtain, maintain and exploit the image rights of the players;
- (iv) To represent the individual and collective interest of players within the football world, local football organisations as well as international foras;
- (v) To represent the players collectively in the relations between the players as employees and their employers or potential employers;
- (vi) Committed to the achievement of ensuring the implementation of the minimum requirements for standard players contracts;
- (vii) To provide educational and development opportunities for players playing locally, whilst also aiming towards a more holistic development of Maltese football in general;
- (viii) To provide all services to all players playing in Malta irrespective of their nationality;
- (ix) To act in accordance with FIFPro principles;

ARTICLE 3 - COMPOSITION

1.

The Association shall have the following organs:

General meeting

Executive committee

ARTICLE 4 – NON-PROFIT MAKING ORGANISATION

1.

Notwithstanding any other provision in this statute, or in any other rules, bye-laws or regulations, the Association will remain an autonomous non-profit making organisation. It is thus, not within the remit of the Association to distribute any of its assets and/or dividends to its Members. Any economic activity which it may carry out will be an ancillary activity for the purpose or in connection with assisting the Association in the carrying out its objectives and its mission in accordance with the provisions of this Statute.

2.

Upon dissolution, all assets of the Association will be applied in favour of another non-profit organisation with similar objectives. The decision on how to distribute any assets shall be made by majority vote taken by the executive.

ARTICLE 5 - MEMBERSHIP

1.

All professional and amateur players that currently play or used to play with any football team that is registered with the Malta Football Association can join the Association. Members can have a status of active or non-active. The latter shall apply to members that are retired players.

2.

The Executive committee has to determine from time to time the membership procedure.

3.

The General Secretary must keep an updated member's list.

4.

Only persons that accept the objectives and Articles of the Association and the ensuing obligations are accepted as members of the Association.

5.

The General Meeting may bestow the title of honorary President or honorary member upon any persons for meritorious service to football. The Executive shall make the nominations relating thereto. An honorary President or honorary member may take part in the General Meeting even if not an active member but may not vote.

6. Members shall have an obligation to pay membership fees and follow the directives of the Executive.

ARTICLE 6 – GENERAL MEETING

1.

The Executive shall call a meeting for all members every year. This meeting will be called General Meeting.

2.

The General Meeting may also meet on other occasions according to need, namely:

- a) If called by the majority of the Executive.
- b) If 20% or more of the active full-paid members request in writing giving the reasons to the Executive. In this event the Executive Committee shall hold the General Meeting within a month from the date of receipt of such written request.

The above mentioned General Meeting convened in accordance with provision 2 of this Article 6 will be called Extraordinary General Meeting.

3.

All members may attend the General Meeting. Only paid-up members have the right to vote.

4.

The agenda for the General Meeting will be prepared by the Executive.

5.

A notice to all members shall be made via an individual letter or email as well as an advert in a national newspaper, at least 30 days before the General Meeting. In the instance of an extraordinary general meeting a notice of not less than 48 hours shall be given with an individual letter or email. The notice shall be posted on the Association's social media.

6.

The General Meeting will be chaired by the General Secretary.

7.

The General Secretary shall have the right for a casting vote should the need arise.

8.

A quorum of 20% of paid up members has to be assured in order for the General Meeting to commence. In the event of a quorum not met the General Meeting will start after 30 (thirty) minutes with those present sufficing.

9.

The elections for the Executive will take place once every 4(four) years during the General Meeting.

10.

The agenda for the General Meeting shall include:

- a) A Speech and administrative report from the General Secretary
- b) Approval of minutes of the previous General Meeting
- c) An audited financial Report from the official responsible for finances
- d) An election/Appointment of the members of the Executive
- e) Motions and amendments to the Statute
- f) Closing speech by the President

ARTICLE 7 – THE EXECUTIVE

1

The Executive shall be composed of not less than 5 (five) members but not more than 7 (seven) members. The composition shall include the President, General Secretary, Deputy Secretary and Financial Officer hereinafter referred to as the “Officers”.

2.

The members of the Executive shall be appointed for a term of 4 (four) years starting the day of appointment via election. The new Executive shall be given a handover from the existing Executive within not less than 10 (ten) days and not more than 20 (twenty) days, including Weekends and Public Holidays, following the appointment of the new Executive. A specific date shall be established for handover to be given. In the case that handover is not given in the time established by this Statute, the new Executive will take over on the day following the established date or should there not be a date established, on the expiry of 20 (twenty) days from election. Until handover is given, the responsibility of the association’s administration will be continued by the outgoing Executive.

3.

The election procedure for roles in the Executive Committee will be as follows:-

- a) A call for nominations shall be published for the posts as specified in provision 1 of this Article 7. Such call has to be published together with the notice for the General Meeting;
- b) For a member to be eligible to contest for the election, he must have a minimum of one qualification pegged at level 4 as per European Qualifications Framework or higher.
- c) For a member to contest for the role of President or General Secretary a member must have a qualification pegged at level 6 as per European Qualification Framework or higher.

- d) For a member to contest for any role he must be fit and proper, and must have a clean police conduct.
- e) The nominations shall be presented to the General Secretary of the Association by not later than 7 (seven) days from notice of the General Meeting;
- f) All nominations have to be in writing and have to be duly signed by a person proposing and the proposed member. The proposer and the person being proposed (candidate) have to be paid up members for at least 1 (one) year prior to the date of the Election. Any candidate for the Officers posts must have been part of the Executive Committee for at least a period of 3 consecutive years.
- g) The post being contested shall be clearly indicated on each nomination;
- h) After the expiry of the date for nominations the General Secretary will prepare a ballot paper if necessary.
- i) The election will be carried out during the General Meeting using the system first past the post. All paid active and non-active members of the Association are eligible to vote. Those eligible to vote have to be paid up members for at least 1 (one) year prior to the date of the election and must have paid their membership fee at least eight (8 months) prior the election.
- j) In the case that only one or no nominations are presented for a particular post than this election shall not be held. Votes of confidence can be demanded in which case the contestant has to get a simple majority of votes to approved;
- k) In the case that an election for a particular post is needed, the Executive Committee shall appoint a person to be responsible for managing the election. Persons nominated for any post in the Executive cannot be appointed;
- l) The election shall be managed according to the rules established by this Statute;
- m) Should a position remain vacant, the Executive shall have the right to appoint persons for the posts. Co-opted persons have to be members of

the Association and to fulfil the eligibility criteria to run for election as specified by this Statute;

4.

A member shall not be eligible to contest for election, if it is deemed by the sitting executive that the member in question carries a substantial conflict of interest, which would preclude him from effectively carrying out his tasks in the best interest of the Association.

Conflict of interest is deemed to be substantial when the member in question or his direct family member; is employed, gives services to, and/or offers consultation to, any individual, entity and/or club that may be in negotiations, disputes and/or contentious discussions with the Association.

Provided, that if the sitting executive deems the possible conflict of interest not of substantial nature, the sitting executive may decide by majority vote, to allow such member to contest in any case. Said decision must be minuted.

If any such actual or potential conflict of interest arises during a member's tenure on the executive, such member shall immediately inform the executive in writing of such conflict. The executive shall decide by anonymous vote of majority, whether such conflict of interest warrants the member's vacation of his executive post. The decision to retain or remove the member in question shall be minuted.

5.

Vacancies in posts during the term in office of the Executive shall be filled by appointment from the Executive. A simple majority within the Executive is needed in such cases.

6.

The quorum for the Executive shall be 50% + 1 of the elected members. The meeting will start with the members present after 30 minutes if the quorum is not reached until the announced time.

7.

Members of the Executive who are absent for 3 consecutive meetings without an acceptable justification will be considered as resigned. In cases where a member is absent for five (5) meetings between 2 General Meetings without an acceptable justified reason will also be considered as resigned.

8.

A written justification must be given to the General Secretary by members absent for Executive meetings.

9.

The agenda for the Executive shall be determined by the General Secretary after consultation with the President and the Deputy Secretary. The agenda shall be distributed to the members of the Executive at least 48 (forty-eight) hours prior to the established time. Urgent meetings can be called without prior notice by the President and/or the General Secretary.

10.

Executive meetings shall be called on a request made by the President, the General Secretary or by more than 50% of the members of the Executive.

11.

The Executive shall meet at least once every 2 (two) months or as the Executive may determine from time to time.

12.

The General Secretary shall chair the Executive's meetings. If the General Secretary is absent from the meeting then the executive will appoint a member of the Executive to assume the role of Chairperson for the meeting.

13.

Minutes will be taken by the Deputy Secretary. If the Deputy Secretary is not present the General Secretary will appoint a member of the Executive to take the minutes.

14.

The duties of the President shall include but are not limited to:

- a) Assist Executive's officials in their tasks;
- b) Ensure that all decisions taken by the General Meeting and the Executive are implemented;
- c) Represent the Association both internally and externally.

15.

The duties of the General Secretary shall include but are not limited to:

- a) Chair the meetings of the Executive;
- b) Assist Executive's officials in their tasks;
- c) Ensure that all decisions taken by the General Meeting and the Executive are implemented;
- d) Represent the Association both internally and externally.
- e) Assumes the post of the President or the Deputy Secretary when these are not present;
- f) Present reports on works done by the Association to the General Meeting;
- g) Day to day administration of the Association;
- h) Act as contact person with FIFPro;
- i) Chair the General Meeting;

16.

The duties of the Deputy Secretary shall include but are not limited to:

- a) Assist Executive's officials in their tasks;
- b) Ensure that all decisions taken by the General Meeting and the Executive are implemented;
- c) Be the secretary at the General Meeting and the Executive Committee meetings;
- d) Responsible for the minutes and the archives of the association;
- e) Compiling lists of names and addresses that are useful to the association;
- f) Keeping a record of the association's activities;
- g) Keeping a diary of future activities;
- h) Filing minutes and reports;
- i) Keeping up-to-date contact details (i.e. names, addresses and telephone numbers) for the management committee and (where relevant) ordinary members of the association;
- j) Assist the General Secretary in his tasks;

17.

The duties of the elected members of the Executive shall include but are not limited to:

- a) Attend and actively participate at all Executive's meetings;
- b) Co-ordinate and perform all tasks as asked by the Executive Committee:

18.

Members of the Executive shall be privy to sensitive information concerning substantial or procedural matters within the Association. Individual members are not allowed to disclose any information pertaining to the Association with any third party. Information can only be made public, following a decision by the Executive and through the official Public Relations channels.

19.

The Executive Committee shall have the authority to establish and implement rules, codes or procedures as it deems fit, for the fulfilment of the Association's own objectives in line with the spirit of this statute.

20.

The Executive Committee shall have the right to suspend and/or terminate members of the committee who are not performing their duties or acting against the interest of the Association. The decision shall be taken by a simple majority during a vote within the Executive. Suspended or terminated members shall have the right to appeal the decision. Any person, who is accused of a breach, has the right to appeal by writing a letter to the General Secretary within 14 (fourteen) days of receiving the suspension/termination letter. He/she has the right to appear before an appeals board to defend himself/herself. The appeals board shall be appointed by the Executive as required from time to time from amongst members not part of the Executive.

21.

The Executive may take actions against members of the Association who are not observing the rules of this statute, or are in breach of decisions taken within the association.

The Executive shall take one or more of the following decisions, in case a person is found guilty in accordance with this provision:

- a) Issues a verbal/written warning to the member;
- b) Censor actions of the member;
- c) Suspend the member from the Association for a definite/indefinite period;
- d) Removes the member from any position;
- e) Terminates membership from the association;

All decisions taken by the Executive in accordance to this provision has to be approved by a simple majority of the members of the Executive. In that the event the Executive decides to take one or more actions outlined in this provision in relation to any member of the Association, the member has the right to appeal. The appeals board shall be appointed by the Executive as required from time to time from amongst members not part of the Executive.

An appeal cannot be heard by the same organ taking a decision (i.e. if the executive has taken a decision of any disciplinary measures the same executive cannot act as an Appeals Board).

22.

It is within the remit of the Executive to appoint sub-committees if it deems it necessary for the attainment of the Association objectives.

23.

The Executive may invite members of the Association at its meetings. The Executive may also invite third parties and/or experts to attend meetings provided that anyone in attendance who is not an elected member of the Executive, shall not have the right to vote in any of the decisions taken by the Executive.

24.

The Executive shall nominate the Legal Representative/s of the Association.

ARTICLE 8 - FINANCES

1.

The Association shall have autonomous bank accounts and shall keep proper account of the finances in accordance with applicable Laws in Malta.

2. The Financial Officer shall be responsible to keep proper books and account of the Association finances.

ARTICLE 9 – AMENDMENTS OF THE ARTICLES

1.

Changes to this statute must:

- a) Be discussed formally during the General Meeting;
- b) Be approved by a simple majority of paid-up members present for the General Meeting;