



STATUTE

Malta Football Players Association



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Article 1 | GENERAL PROVISIONS

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 is ‘Central Business Centre, Tarxien Road, Gudja’ or as otherwise agreed upon from time to time after a decision is taken by the executive committee.
5. All bodies and officials must observe MFPA’s Statute, regulations, decisions and the Code of Ethics in all their activities.
6. The books and names of members of the Association are to be made available for inspection by any person with a direct and objective interest in the funds of the Association, provided s/he files a written request to the Executive Board, specifying an objective and legitimate interest for accessing said data.

Article 2 | OBJECTIVES

1. The main objective of the Association is the regulation of relations between its members and employers or employers' associations. Other objectives of the Association include:
 - 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 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:

- i. General Meeting
- ii. Executive Committee

Article 4 | **NON-PROFIT MAKING ORGANISATION**

1. Notwithstanding any other provision in this Statute, or in any other rules, byelaws or regulations, the Association will remain an autonomous non-profit making organisation as defined in the Voluntary Organisation ACT (Chapter 492 of the Laws of Malta). 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 of its objectives and its mission in accordance with the provisions of this Statute.
2. The Association can be dissolved by a resolution obtained by two-thirds (2/3) of votes of all members of the Association during a General Meeting held for that purpose. 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 a majority vote taken by the Executive Committee.

Article 5 | MEMBERSHIP

1. All professional and amateur players over the age of sixteen (16) years 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 the status of a full-time professional, part-time professional, amateur, or retired.
2. The Executive Committee must determine from time to time the membership procedure. The annual membership fee is determined by The Executive and approved at the Annual General Meeting.
3. Only persons that accept the objectives and Articles of the Association and the ensuing obligations are accepted as members of the Association.
4. The General Meeting may bestow the title of honorary president or honorary member upon any persons for meritorious service to the Association and who has been nominated for such title by members of the Executive Committee. A simple majority of the members present during the General Meeting shall suffice. An honorary President or honorary member may take part in the General Meeting even if not an active member but shall have no vote.
5. Members shall have an obligation to pay the membership fee and follow the directives of the Executive Committee.

Article 6 | GENERAL MEETING

1. The Executive Committee 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:
 - i. If called by a majority of the Executive Committee.
 - ii. If 20 per cent or more of the paid-up 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 General Secretary after consultation with the Executive Committee.
5. Notice to all members shall be made via an individual letter or email as well as an online advert in a national newspaper and/or on the Association's social media platforms, at least 14 days before the General Meeting. In the instance of an extraordinary general meeting, a notice of not less than 48 hours shall be given via an individual letter or email. The notice shall also be posted on the Association's social media platforms.
6. The General Meeting will be chaired by the General Secretary or as agreed by the Executive Committee.
7. The Chairperson shall have the right to a casting vote should the need arise.

8. A quorum of 20 per cent of paid-up members must be assured in order for the General Meeting to commence. In the event that the quorum is not met, the General Meeting will start after 30 minutes with those present sufficing.
9. The elections for the Executive Committee will take place once every four years during the General Meeting.
10. The agenda for the General Meeting shall include:
 - i. A speech and administrative report from the General Secretary
 - ii. Approval of Minutes of the previous General Meeting
 - iii. An audited financial report from the official responsible for finances
 - iv. An election/appointment of the members of the Executive
 - v. Motions and amendments to the Statute
 - vi. Other matters
 - vii. Closing speech by the President

Article 7 | THE EXECUTIVE COMMITTEE

1. The Executive Committee shall be composed of not less than five members but not more than seven members. The composition shall include the President, General Secretary, Deputy Secretary(-ies) and Financial Officer, hereinafter referred to as the “Officers”. At least one member of the Executive Committee must be a woman.
2. All the members of the Executive Committee except for the Financial Officer shall be elected for a term of four years starting on the day of the election. The mandate shall begin after the end of the General Meeting.
3. All Executive Committee members, except for the Financial Officer shall be appointed via the following election procedure:
 - i. A call for nominations shall be published for the posts as specified in provision 1 of this Article 7. Such a call must be published together with the notice for the General Meeting.
 - ii. For a member to be eligible to contest for the election, he must have a minimum of one qualification pegged at level four as per the European Qualifications Framework or higher, or at least five years of relevant managerial experience.
 - iii. For a member to contest for the role of President or General Secretary a member must have at least a qualification pegged at level 6 as per the European Qualification Framework or higher, or at least ten years of relevant managerial experience.
 - iv. For a member to contest for any role he/she must be fit and proper and must have a clean police conduct.
 - v. To contest the election, the person in question must be nominated by a paid-up member of the Association and the nominations shall be presented to the General Secretary of the Association not later than seven days from notice of the General Meeting.

- vi. All nominations must be in writing and duly signed by the person proposing and the proposed member. The proposer and the person being proposed (candidate) must be paid-up members for at least one year prior to the date of the Election. Any candidate for the President and General Secretary posts, must also have been part of the Executive Committee for at least a period of two consecutive years.
- vii. The post being contested shall be clearly indicated on each nomination.
- viii. After the expiry of the date for nominations, the General Secretary will prepare a ballot paper if necessary.
- ix. The election will be carried out during the General Meeting using the system first past the post. All paid-up members of the Association are eligible to vote. Only members of the Association who have paid their membership for at least two consecutive seasons prior to the date of the election shall be eligible to vote.
- x. In the case that only one or no nominations are presented for a particular post, then this election shall not be held. Votes of confidence can be demanded, in which case the contestant must get a simple majority of votes to be approved.
- xi. 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. The person appointed to manage the election cannot be from amongst the Executive Committee members or from any of the persons appointed to run for election.
- xii. The election shall be managed according to the rules established by this Statute.
- xiii. Should a position remain vacant, the Executive Committee shall have the right to appoint persons for the posts. Co-opted persons do not need to be members of the Association but need to fulfil all other eligibility criteria as specified by this Statute. A simple majority will suffice.
- xiv. An Executive Committee member cannot be an active player, so as to avoid instances of direct conflict of interest.
- xv. Except for the Financial Officer, no Officer may serve for more than three terms within the same role of office, irrespective of whether the terms are consecutive or otherwise. Provided that nothing shall preclude a person from contesting and occupying different roles within the Executive Committee and the Association.

This article shall be applicable only from June 2019 onwards and any roles occupied before this date shall not count for the purpose of this article.

4. The Financial Officer shall not be an elected Executive Committee member, instead, the post should be fulfilled by a person of trust, specifically chosen, nominated and appointed for the role by the sitting Executive Committee members.
5. The Financial Officer must be a chartered accountant in Malta and of high ethical standards. The Financial Officer must be accountable and report to the Executive Committee. The appointed Financial Officer shall sit on the Executive Committee and shall have one vote. The Financial Officer is appointed and may be dismissed by the Executive Committee, in accordance with par. 25 of this Article. Provided that the Financial Officer shall recuse himself or herself from any decision directly related to his/her own appointment, and shall have no right to attend, weigh in or vote on matters directly relevant to his/her own role.
6. The quorum for the Executive Committee shall be 50 per cent + 1 of the members. The meeting will start with the members present after 15 minutes if the quorum is not reached until the announced time.
7. Members of the Executive Committee who are absent for three consecutive meetings without an acceptable justification may be considered as resigned by the Executive Committee. In cases where a member is absent for four meetings between two General Meetings without an acceptable justified reason, may also be considered by the Executive Committee as resigned.
8. A written justification must be given to the General Secretary by members absent for Executive Committee meetings.
9. The agenda for the Executive Committee shall be determined by the General Secretary after consultation with the Executive Committee. The agenda shall be distributed to the members of the Executive Committee at least 48 hours prior to the established time.

Urgent meetings can be called without prior notice by the President and/or the General Secretary.

10. Executive Committee meetings shall be called on a request made by the President, the General Secretary or by more than 50 per cent of the members of the Executive Committee.
11. The Executive Committee shall meet at least once every three months or as the Executive Committee may determine from time to time.
12. The General Secretary shall chair the Executive Committee meetings. If the General Secretary is absent from the meeting, then the executive will appoint one of its members 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 Committee to take the minutes. The minutes shall, as a general rule, be signed by at least two Executive Committee Members after approval.
14. The duties of the President shall include but are not limited to:
 - i. Assist the Association officials in their tasks;
 - ii. Ensure that all decisions taken by the General Meeting and the Executive Committee are implemented;
 - iii. Represent internally and externally the Association in line with its mission and values.
15. The duties of the General Secretary shall include but are not limited to:
 - i. Chair the meetings of the Executive Committee;
 - ii. Assist the Association officials in their tasks;
 - iii. Ensure that all decisions taken by the General Meeting and the Executive Committee are implemented;

- iv. Represent internally and externally the Association in line with its mission and values;
- v. Assumes the duties of the President or the Deputy Secretary when these are not present;
- vi. Present reports on works done by the Association to the General Meeting;
- vii. Manage the operations and day to day business of the Association;
- viii. Act as liaison with FIFPRO;
- ix. Chair the General Meeting;
- x. Keep an updated member's list;
- xi. All other administrative matters necessary for the efficient operation and organisation of MFPA, as required and authorised by the Executive Committee.

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

- i. Assist the Association officials in their tasks;
- ii. Ensure that all decisions taken by the General Meeting and the Executive Committee are implemented;
- iii. Act as the secretary at the General Meeting and the Executive Committee meetings;
- iv. Be responsible for the minutes and the archives of the Association;
- v. Compile, retain and update useful and relevant contact lists;
- vi. Keep a record of the Association's activities;
- vii. Keep a diary of future activities;
- viii. File minutes and reports;
- ix. Keep up-to-date contact details (i.e. names, addresses and telephone numbers) for the Executive Committee, delegates and collaborators of the Association;
- x. Assist the General Secretary in his/her tasks;
- xi. Representing internally and externally, the Association is in line with its mission and values.

17. The duties of the Executive Committee members shall include but are not limited to:

- i. Attend and actively participate at all Executive Committee meetings;

Coordinate and perform all tasks as asked by the Executive Committee;

- ii. Represent internally and externally the Association in line with its mission and values.

18. The Executive Committee shall have the right to suspend and/or terminate members of the Committee who are not performing their duties or who are acting against the interest of the Association. The decision shall be taken by a simple majority during a vote within an Executive Committee meeting. 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 days of receiving the suspension/termination letter. He/she shall have the right to a fair hearing by an impartial and independent board to defend himself/herself. The board shall be appointed by the Executive Committee as required from time to time.

19. The Executive Committee 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 Committee shall take one or more of the following decisions, in the event of a person found guilty in accordance with this provision:

- i. Issue a verbal/written warning to the member;
- ii. Censor actions of the member;
- iii. Suspend the member from the Association for a definite/indefinite period;
- iv. Remove the member from any position within the Association;
- v. Terminate membership from the Association.

20. All decisions taken by the Executive Committee in accordance with this provision must be approved by a simple majority of the members of the Executive Committee. In the event that the Executive Committee 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 a fair hearing by an impartial and independent board to defend himself/herself. The board shall be appointed by the Executive Committee as required from time to time.

- 21.** The Executive Committee may invite members of the Association at its meetings. The Executive Committee 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 Committee, shall not have the right to vote on any of the decisions taken by the Executive Committee.
- 22.** The Executive Committee members of the Association may be remunerated for the work they perform for the Association, as the Executive Committee may determine from time to time.
- 23.** In the case that an Executive Committee member is elected/appointed during an Annual General Meeting when elections for the Executive Committee members of the Association are not normally due, such a member will hold office until the Annual General Meeting during which elections for the posts of the Executive Committee members of the Association are normally due to be held.
- 24.** Unless otherwise provided, a simple majority vote shall suffice for decisions to be adopted by the Executive Committee. Each member of the Executive Committee shall have one vote. In case of a tie, the Chairperson shall have a casting vote.
- 25.** The Executive Committee's duties include:
- i.** Defining MFPA's mission, strategic direction, policies and values, in particular with regard to the football players playing in Malta and all related matters;
 - ii.** Overseeing the overall management of MFPA;
 - iii.** Nominating the Legal Representative/s of the Association;
 - iv.** Appointing, if necessary, ad-hoc committees, working groups, or expert panels tasked with special duties for the attainment of the Association objectives, at any time;
 - v.** Appointing MFPA's representative on external boards, committees, or entities. Such representative/s shall vote in line with what the Executive Committee decides;
 - vi.** Nominating and appointing for a 4-year term period or until the next Executive Committee election is held, suitable individuals for the roles of Financial Officer and General Secretary;

- vii. Dismissing the Financial Officer at the end of their term should two-thirds or more of all members of the Executive Committee decide that the performance was unsatisfactory and vote for his/her dismissal;
- viii. Establishing and implementing 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;
- ix. Approve the budget and the annual audited financial statements prepared by the Financial Officer and submitted to the independent financial auditor for approval;

Article 8 | FINANCES

1. The Association shall have autonomous bank accounts and shall keep a proper account of the finances in accordance with applicable Laws in Malta.
2. The Financial Officer shall be responsible to keep proper books and accounts of the Association's finances.
3. The Association shall appoint independent and qualified external auditors to undergo an audit at least once per calendar year.
4. The funds and properties of the Association are to be applied to reach the objectives of the Association as defined in these regulations.

Article 9 | **AMENDMENTS OF THE ARTICLES**

1. Changes to this statute must:

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