



## MALTA MOTORSPORT FEDERATION

### THE STATUTE

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AS APPROVED DURING THE AGM HELD ON THE 11<sup>th</sup> SEPTEMBER 2007, DURING THE AGM HELD THE 27<sup>th</sup> JANUARY 2010, THE AGM HELD THE 30<sup>th</sup> NOVEMBER 2010, THE AGM HELD THE 28<sup>th</sup> NOVEMBER 2013, THE EGM HELD 30<sup>th</sup> JANUARY 2014 & **AGM HELD THE 26<sup>th</sup> NOVEMBER 2014**

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# THE STATUTE OF THE MALTA MOTORSPORT FEDERATION

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## 1. Name of the Federation

The Federation shall be called the "Malta Motorsport Federation", and in this Statute and in the other rules, bye-laws and regulations of the Malta Motorsport Federation, the words or wording, "M.M.F.", "MMF", "the Federation", and "this Federation", shall mean the Malta Motorsport Federation.

## 2. Constitution of the Malta Motorsport Federation

The Malta Motorsport Federation is an autonomous and voluntary organization, oriented towards competitive and non-competitive motoring and which conducts its affairs in accordance with the relevant provisions of liberty, democracy, respect for human rights and fundamental freedoms and rule of law. The Federation rejects discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. All affiliated members must adhere to this Statute and to any other relevant rules, bye-laws and regulations which the Federation may approve from time to time

## 3. Affiliation of the Federation to International Organizations

The Malta Motorsport Federation shall affiliate with international organizations with a view to support, represent and protect its members' interests as well as to regulate any interest it deems fit in motor sport in accordance with the directives and decisions of the Federation and of those other international organizations of which MMF may be a member.

## 4. Objectives of the Federation

The Objectives of the Federation are the following:

- a) to maintain a national organization upholding the interests of its membership in all national and international matters concerning motor sport;
- b) to guard the individuality, autonomy and independence of its Members, whilst promoting safety and collaboration across all members;
- c) to encourage and promote interest in motor sport through education, enacting, interpreting and enforcing common rules applicable in all its forms throughout the territory of the Republic of Malta;
- d) to manage, organize, support or supervise national and/or international relations and/or events in all its forms and in all levels within the territory of Malta as it may deem fit and proper, and to administer, control and exercise discipline over such relations and/or events;
- e) to prevent the introduction of improper methods or practices in motorsport, to protect it from abuse and to punish those found guilty of having used improper methods or practices;
- f) to hold, administer, manage its own sports facilities and/or any other property needed by MMF to achieve its objectives;
- g) to enter into any agreement and/or any kind of partnership with other parties for the promotion and the development of motorsport and/or motorsport facilities in general both locally and abroad;
- h) to manage and raise funds and/or other assets of the Federation in an appropriate manner as it may determine;

- i) to exercise jurisdiction in respect of disputes of a sporting order and any disputes which might arise between its Members, or in relation to any of its Members having contravened the obligations laid down by the regulations, Statutes, By-laws and the International Sporting Code;
- j) to prevent all sorts of discrimination as to politics, gender, religion or race within the Federation and in its competitions as well as between its Members;
- k) to preserve and extend the freedom of mobility through affordable, safe, and clean motoring and defending the rights of consumers when travelling;
- l) to preserve and conserve all documents concerning motoring and motorsport in Malta to establish a record and history;
- m) to exercise jurisdiction in respect of disputes of a sporting order and to determine any disputes which may arise between its Members, or in relation to any of its Members; once the members in the dispute agree to bring the dispute before the Federation;
- n) to encourage and promote the preservation, restoration and collection of classic, vintage and historic vehicles in the Republic of Malta;
- o) The Federation is a union of sports Clubs, Foundations and/or Associations, the purpose of which is to bring together the affiliated motor sport groups with the aim of organising the sport, notably through competitions/static displays. The Federation should create a stability that encourages common interest, reduced differences between the member Clubs, Foundations and/or Associations and puts these institutions on a common ground.

5. The Federation is a non-profit making organization

Notwithstanding anything contained in this Statute and in the other rules, bye-laws and regulations of the Federation, the Federation is a non-profit making organisation. Thus, the Federation shall not distribute any of its assets and/or dividends to its Members and any economic activity which it may carry out will be an ancillary activity for the purpose or in connection with assisting the Federation to carry out its objectives and its mission in accordance with the provisions of this Statute.

6. Recognition of the Malta Motorsport Federation

The Malta Motorsport Federation shall be recognized by all its Members as the only body which has the right to organise and/or permit motorsport events at international level, in all its forms, and to exercise control and discipline over these international events, which fall under the responsibility of the international bodies whom MMF is affiliated and/or representative, and/or any other body who specifically request the assistance from MMF.

7. Flag and emblem

The Federation shall have its own flag and emblem which shall be in that form as the Federation may from time to time determine. (*est. added before 2007*)

8. Official languages

The Maltese and English languages shall be the official languages of the MMF and the Federation may, for all official purposes, use any one of these languages.

9. Address of the Malta Motorsport Federation

The postal address of the Federation is Malta Motorsport Federation, P.O. Box 30, Valletta VLT 1000, Malta and the Federation shall operate from offices situated at the Malta Motorsport Federation Office, National Pool Complex, Maria Teresa Spinelli Street, Gzira GZR 1711, or at any other address that it may deem fit from time to time.

MMF website address is [www.maltamotorsport.org](http://www.maltamotorsport.org) and main email address is [info@maltamotorsport.org](mailto:info@maltamotorsport.org)

10. Membership

Membership of the Federation is open to non-profit making Clubs, Foundations and Associations situated within the Republic of Malta, which are legitimate motorsport and/or motoring related entities which practice, organize and/or render distinguished services and/or events related to the cause of sport of motoring and/or motorsport and are recognised by the Federation as representing the interests of their members in accordance with the Laws of Malta and which shall not employ violent and/or illegal or criminal methods in furtherance of their objectives.

11. Membership of Clubs, Foundations and Associations

- a) Member Clubs, Foundations and Associations are those which organize motoring or motorsport related activities in accordance with those rules which the club, foundation or association may determine from time to time.
- b) Prior to admittance by the respective Council as a Member, such Club, Foundation or Association must satisfy the Administrative Council that it is a properly constituted club, foundation or association, and is practicing and organizing events in such a way as to be able to fulfil the obligations as a Member of the Federation.
- c) Clubs, Foundations and/or Associations wishing to apply for affiliation shall do so in writing to the General Secretary of the Federation. The application shall include a copy of the club, foundation or association statute, a list of committee members including the Identity Card number of each member and committee position and a copy of the minutes of the most recent Annual General Meeting. If affiliation is approved by the respective Council of the Federation, the club, foundation or association shall agree to be bound by this statute and the rules of the Federation, and the International sporting code of the International ruling body.
- d) Member Clubs, Foundations and Associations must ensure that they can take all decisions regarding membership of their Club, Foundation or Association independently of any foreign body.
- e) The Administrative Council, with the approval of the respective council shall have the power to approve or decline an application for affiliation to the Federation without the obligation of giving reasons for a refusal.

- f) Members shall submit annually, their General Meeting minutes and report, and information of any changes in the committee as soon such changes and/or general meetings take place. Members are not required to submit their financial accounts.

#### 12. Entrance Fees and Annual Renewal Fee

- a) The affiliation fee for newly admitted Members is one hundred and twenty euro (€120) payable in advance and shall be deemed to expire on the next 30<sup>th</sup> September.
- b) The renewal fee, payable in advance by not later than the first day of October in each year, is eighty euro (€80).
- c) The Membership fee duration will be for 12 calendar months up to the last day of September of each year.

#### 13. Payment of Membership Fee.

- a) Any Membership which, after due notice in writing by the Treasurer of the Federation, fails to pay the annual subscription fee by the last day of December, may be removed by the Administrative Council from the roll of membership. The decision of the Administrative Council shall be final and binding.
- b) For any Membership fee which is paid later than the last day of October of each year, a ten euro (€10) administrative fee is levied for each month of delay up to 31<sup>st</sup> December.
- c) Any renewal from the 1st January is to be considered as a new membership fee - €120.

#### 14. Structure of the Federation.

The Structure of the Federation shall be based on three Councils, namely Administrative Council, Sporting Council and Static Council as follows:

##### a) The Administrative Council

The Administrative Council shall consist of, a President, a Vice President, a Secretary, a Vice Secretary / PRO and Treasurer elected as per bye-laws clause 6 of this Statute.

The Administrative Council shall be responsible for:

- Setting the requirements, objectives and expectations of the Federation;
- Create strategic plans for the modus operandi of the Federation;
- Operate the finances of the Federation;
- Delegate Federation events to the respective council for organisation;
- Handle all communication matters external to the Federation with the respective councils or its appointed representative;

## b) The Sporting and Static Councils

The member clubs will be categorised, by the Administrative Council, into two councils, the 'Sporting Council' and the 'Static Council'. The Sporting and Static Councils shall consist of two (2) representatives from the Administrative Council and a representative of each member club within the respective council.

i. The Sporting council shall be responsible for;

- The creation of sporting regulations and their relative upkeep;
- Keep abreast with FIA regulations and their implementation;
- Safety and Security at all sporting events of the MMF or as required by the MMF;
- Improvement of all sporting matters falling within the authority of the Federation;
- Coordination of sporting events for inclusion in an MMF Calendar;
- Handle all Vehicle Technical passport matters;
- Matters as may be requested and/or delegated from the Administrative Council and/or as agreed upon within the sporting and/or static councils.

ii. The Static council shall be responsible for;

- The Creation of static show criteria and recommendations.
- Coordination of static events for inclusion in an MMF Calendar
- Manage and define the needs of the Static / Classic / Custom/ hot rod market
- Devise and propose requirements for propagation of the static enjoyment

## 15. Quorum

- a) At all Administrative Council, AGM and EGM meetings, a quorum shall be necessary. This quorum shall be 50% of the members plus 1.
  
- b) If within half an hour (30min) from the time appointed of a general meeting (Annual or Extraordinary only) a quorum is not present, the meeting, if convened by the members shall be dissolved. In any other case, it shall stand adjourned to the same day, time and place in the next week, or at a such place as the Administrative Council may determine, and if at such adjourned meeting a quorum is not present within half an hour (30min), from the time appointed to hold the meeting, or if during the meeting a quorum ceases to be present, the members present who are entitled to vote thereat shall be a quorum.

## 16. Voting at Council Meetings

### a) Voting at Administrative Council meetings

At all Administrative Council meetings, each Administrative Council member shall have one (1) ordinary vote. At all meetings of the Administrative Council, the vote of the simple majority of those present shall prevail. In the event of an equality of votes, the President of the Federation shall also have a casting vote as well as his original vote.

b) Voting at Sporting and Static Council meetings

Each council member shall have one ordinary vote. At all meetings of the Councils, the vote of the simple majority of those present shall prevail. In the event of an equality of votes, one of the two Administrative council members present shall hold an additional casting vote.

17. Chairman of the Federation

- a. The Chairman of the Federation shall be chosen from among the member clubs, foundations and/or associations by rotation. The Chairman's term of office shall be that of one year.
- b. This post is to be filled by a member club, foundation and/or association on the 'List of Rotation for Chairman MMF' as of October 2008 at St. Paul's Bay Band Club. All newly affiliated members after October 2008 will be entered at the bottom of the list according to their affiliation date.
- c. The Chairman may attend Council meetings but is not obliged to. He is however expected to chair any General Meetings

18. Resignation of Members Club, Foundation and/or Association

Any Member Club, Foundation and/or Association of the Federation who wishes to resign from the Federation, shall do so in writing to the general secretary of the Federation who shall inform the Administrative Council and the respective council. On this resignation being accepted by the council, but not before, the member shall cease to be a member, providing always that any Federation member that ceases to be a member shall remain subject to any liability imposed upon it by the statute and bye laws, and shall remain liable for all subscriptions and contributions due from, or imposed upon it, up to the date of termination which shall be determined by the council. The council shall be empowered to call before it the officials of any Federation member that has conducted itself in a manner detrimental to the Federation or to the sport, and may impose a fine or take disciplinary action upon that member as the council may deem fit and proper.

19. Expulsion of Members Club, Foundation and/or Association

A member may only be expelled from the Federation by a majority vote taken at a General Meeting of the Federation.

20. Voting at General Meetings

- a) At every general meeting of the Federation and every poll, every Federation member shall have one (1) vote, as provided in this statute, but no such delegate shall be entitled to be present at any meeting, or vote on any poll if the Federation member of which he is a delegate is in arrears of any subscription or other sum payable by it under this statute, or under the General Competition Rules and Standing Supplementary Regulations.

- b) At all general meetings a vote of 50% +1 of the voting members present shall be required for all statutory business. All other non-statutory business shall require a simple majority vote. Statutory business may only be discussed and voted upon at General Meeting level.
- c) At all general meetings, any newly affiliated Federation member shall have voting rights after the first three (3) months of his affiliation.

21. Management of affairs of the Federation.

The authority and responsibility for the transaction of the business of the Federation shall be vested upon the Councils of the Federation as per Clause 14 , who, in addition to the powers and authorities given by this statute and any bye laws expressly conferred upon them, may exercise all powers and do all acts in furtherance of the objectives for which the Federation is established, other than those expressly directed or required to be exercised or done by the Federation in the General Meeting. All decisions shall require a majority vote.

22. Application of funds.

The Administrative Council of the Federation shall have the power to apply the funds of the Federation in promoting, furthering, or protecting the objectives of the Federation and / or as requested by the respective councils.

23. Powers of the Councils.

All powers which, under the provisions of this statute may be exercised by the councils, shall be exercised in accordance with, and subject to the provisions of this statute in accordance with Clause 14 and the bye laws of the Federation, and the exercise of those powers shall be subject to the control and regulation of any General Meeting, and any act or proceeding of the councils shall not be invalidated or illegal in consequence of there being any vacancy on the Councils at the time of such act or proceeding being done or taken.

24. Claims on funds or property

- a) If any Member Club, Foundation or Association of the Federation ceases for any cause whatsoever to be a member of the Federation, it shall not, nor shall their Representative, have any interest in, or claim against the funds or property belonging to the Federation.
- b) The Federation shall have no powers or rights whatsoever on any member club, foundation and/or association property or belongings of all kinds, whether these are mobile or immobile.

25. Power to make Bye Laws.

The Federation may from time to time, by resolution of a General Meeting specially convened for the purpose, with at least seven (7) days' notice in writing informing its members of the proposed amendments, make such Administrative Bye Laws for the purpose herein after set out. Competitive Bye Laws may be made by the sporting council of the Federation.



26. Validity of Bye Laws.

Unless and until rescinded or varied in accordance with clause 25 of this statute, the Administrative Bye Laws appended to this statute shall constitute the administrative bye laws of this Federation.

27. Purpose for which bye laws are made.

The purposes for which the Federation may make Administrative Bye Laws shall include:

- a) Regulating the terms and conditions for membership;
- b) Fixing fees, and other sums to be paid by members, and the times when such fees and sums should be paid;
- c) Regulating the time and place of holding of General Meetings of the Federation;
- d) Regulating the disposal of funds and property of the Federation;
- e) Any other rule or regulations which it may deem fit from time to time;

The purposes for which the Sporting Council of the Federation may make Competitive Bye Laws shall include:

- f) Regulating the holding of National and International competitions, such bye laws to be referred to as the National Competition Rules (N.C.Rs) and any supplementary regulations thereto;
- g) Regulating the holding of National Championships, such bye laws to be referred to as National Championship rules.

28. Powers to amend the Statute

The Federation may, by resolution of a General Meeting convened with at least seven (7) days' notice in writing or email of the proposed amendments, amend, add to, or delete any article to this statute, by a majority vote of not less than 50% +1 of the delegates present and voting at such General Meeting of the Federation.

29. Dissolution

In the event of the dissolution of the Federation by resolution of a General Meeting, any balance of funds (including liquidated assets) remaining after any existing debts and liabilities have been settled, shall be donated to such charitable institutions as shall be determined at the same general meeting.

# THE BYE LAWS OF THE MALTA MOTORSPORT FEDERATION

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## PART 1. PRELIMINARY

### 1. Enforcement of Bye Laws.

These Bye Laws shall take effect on the date immediately after they are approved in a convened General Meeting in the case of Administrative Bye Laws, and after they are approved at the Sporting Council in the case of Competitive Bye Laws.

### 2. Definitions

- a. Reference herein to members and meetings shall, unless otherwise stated, be taken to be construed as referring to members and meetings of the Malta Motorsport Federation;
- b. Malta means the Maltese Islands;
- c. President means the President of the Federation, elected at a general meeting of the Federation in accordance with bye-laws clause 6 of the Statute;
- d. Treasurer means the treasurer of the Federation, elected at a general meeting of the Federation in accordance with bye-laws clause 6 of the Statute;
- e. General Secretary means the General Secretary of the Federation, elected at a general meeting of the Federation in accordance with bye-laws clause 6 of the Statute,;
- f. Chairman means the Chairman of the Federation, appointed in turn from the Federation members (clubs, foundations or associations) for a period of one (1) year, in accordance with clause 17 of the Statute;
- g. Legal Advisor means the Legal Advisor of the Federation, or any other person so appointed by the Federation
- h. The Federation may appoint a person amongst the representatives of the clubs or from outside the the Federation for a specific role for a period of one year;
- i. Statute shall mean the Malta Motorsport Federation Statute;
- j. Vice President means the Vice President of the Federation, elected at a general meeting of the Federation in accordance with bye-laws clause 6 of the Statute,
- k. Vice Secretary means the Vice Secretary of the Federation, elected at a general meeting of the Federation in accordance with bye-laws clause 6 of the Statute

### 3. Notice to members

All notices required to be sent to members by the statute and these bye laws shall be sent by either registered post or e mail, to the address last notified by that member to the secretary. The secretary shall retain proof of notification. All members submitting their personal details for correspondence are automatically authorising the Federation to use this data in accordance with the regulations of Data Protection Act, Chapter 440 of the Laws of Malta.

### 4. Appointment of Representatives of Federation members

The appointment of the representatives of each Federation member shall be decided by each member, under its own arrangements. Each person representing clubs, foundations or associations is considered as a Representative as defined under Clause 14 of the Statute of the Federation and may attend and vote in the respective councils

### 5. Election of officers of the Administrative Council

The officers of the Administrative Council of the Federation shall be elected for a period of 3 years, with the first treasurer serving for a period of 1 year, the first secretary serving for a period of 2 years and the first president for a period of 3 years. Upon termination of the first year of office, a new treasurer will be voted in for a period of 3

years. At the end of the 2<sup>nd</sup> year, the new secretary will be voted in for a period of 3 years. At the end of the 3<sup>rd</sup> year, a new President will be voted in for a period of 3 years. A vice president shall be elected for a period of 3 years. . A vice secretary/PRO shall be elected for a period of 3 years. All elected officers whose term of office has expired shall be re-eligible for election.

6. Resignation or Vacation of post.

The post of an officer of the Administrative Council shall be vacated upon resignation in writing, and its acceptance by the Administrative Council.

Termination of a representative post from the councils also takes place when the member club which he is a member of, ceases to be a member of the Federation.

7. Vacancies on the Sporting and Static Councils

If a vacancy occurs in the Sporting and Static Councils, the Member clubs, foundations or associations of that Council shall appoint a new representative.

8. Co-option

The Administrative Council shall have the power to co-opt such persons as it may deem necessary. Co-opted persons shall not have voting rights during an AGM and EGM and council meetings.

9. Attendance at Council Meetings

If an officer of the Administrative, Sporting and/or Static Councils does not attend 3 consecutive meetings without reasonable and notified justification, that officer will automatically loses his position and a new officer will be elected or appointed to fill up the vacated post.

## **PART 2. PROCEEDINGS AND POWERS OF THE ADMINISTRATIVE COUNCIL**

10. Meetings of the Administrative Council

The council shall meet at least once every month, or at such other times as it may determine. The President or General Secretary shall be bound to call a meeting of the council within three (3) days of receiving a requisition signed by half of the council members requesting such a meeting.

11. Notice of Administrative Council meetings

Notice in writing of an Administrative Council meeting shall be sent to each Administrative Council member at least three (3) clear days before such meeting. The notice shall contain, as far as possible, a statement of the business to be transacted.

12. President and Vice President of the Administrative Council

The President and Vice President of the council shall be elected at the Annual general Meeting in accordance with. Clause 14 of the statute. In the absence of the President, the Vice President shall act as President and shall preside over the Administrative Council meetings. In the absence of the President and Vice President at the Administrative Council meetings, a President shall be elected from the Administrative Council members present to preside during meetings.

13. Meetings

All Administrative Council meetings shall be presided by the President of the Administrative Council.

14. Minutes of Council meetings

Proper minutes of all proceedings shall be kept by the secretary, and such minutes shall be signed by the president of the meeting, the secretary, and any one other officer of the Council. These minutes, duly signed, shall be sufficient proof of the facts therein. Minutes will be circulated to all members of the Council within two (2) weeks from the meeting.

15. Representation

All cheques and payments on behalf of the Federation, having a value up to five hundred (500) Euros, shall be signed by the treasurer and countersigned by the President of the Federation. Any business requiring expenditure above the figure of five hundred (500) Euros shall require a further approval by a majority vote taken at Administrative Council level.

All other legal documents and/or deeds shall be signed by the secretary and countersigned by the president of the Administrative Council.

16. Meetings by MMF with Authorities and Third Parties

A Delegation of two (2) persons from the Administrative Council shall be present in all meetings held with the Government, Ministers, MEPA and TM in the interest of MMF. No such meetings with the above bodies can be conducted by any one (1) officer only.

In case of meeting with third parties other than those mentioned above, where possible a delegation of two (2) persons from the Administrative Council shall be present in all meetings.

If anyone of the President, Vice President, Secretary, Vice Secretary/PRO and/or Treasurer cannot attend the meeting, then their vacancy may be filled by any member of the Sporting or Static Councils.

17. Meetings by MMF with Authorities regarding Member Clubs, Foundations and Associations

Any meetings held by MMF with the Government, Authorities, Ministers, Police, MEPA, TM and other bodies in the interest of any particular club, foundation and/or association who is a member of the MMF, should consist of not less than two (2) persons from the Administrative Council, and a representative/s of that particular club, foundation and/or association as they deem fit.

18. International FIA Motorsport Events

The Federation will be responsible to oversee Motorsport events at International FIA level in Malta.

19. Appointment of sub committees

Subject to the provisions of the Federation, and subject to these bye laws, the Administrative Council may appoint sub-committees from among its members and co-opted members, and may delegate any of its powers to such sub-committees. The Administrative Council has the power to lay down rules for regulating the proceedings of such sub-committees.

20. Admission of members

All admission of Federation members shall be effected by the Administrative Council of the federation.

### **PART 3. PROCEEDINGS AND POWERS OF THE SPORTING AND STATIC COUNCILS**

21. Meetings of these councils

These councils shall meet at least six (6) times during the Federations financial year, or at such other times as it may determine. The President or General Secretary shall be bound to call a meeting of the council within three (3) days of receiving a requisition signed by half of the council members requesting such a meeting.

22. Notice of council meetings

Notice in writing or email of council meeting shall be sent to each member at least three (3) clear days before such meeting. The notice shall contain, as far as possible, a statement of the business to be transacted.

23. Meetings

All council meetings shall be presided by a representative of the Administrative Council.

24. Minutes of Council meetings

Proper minutes of all proceedings shall be kept by the secretary, and such minutes shall be signed by the president of the meeting, the secretary, and any one other member of the council. These minutes, duly signed, shall be sufficient proof of the facts therein. Minutes will be circulated to all members of the Council within two (2) weeks from the meeting.

### **PART 4. GENERAL MEETINGS**

25. General Meetings of the Federation

The Federation shall hold a general meeting once every year for its affiliated members. This meeting shall be known as, "The Annual General Meeting". The Federation may hold other general meetings during the year for its affiliated members. Any such meeting shall be known as, "An Extraordinary General Meeting".

26. Annual General Meetings

The annual general meeting of the Federation shall be convened in between the second (2<sup>nd</sup>) day of October and the thirtieth (30<sup>th</sup>) day of November of each year during which the Federation shall discuss and take decisions concerning its administrative and ordinary business which shall comprise:

- a. The consideration of the annual report.
- b. The audited statement of accounts.
- c. Any other notified business.
- d. The appointment of officers.
- e. The appointment of warranted auditors.

27. Extraordinary Meetings

The Administrative Council may, whenever it deems fit, or upon receipt in writing of any requisition from one third of the Federation members, convene a special meeting of the Federation for which at least seven (7) days' notice in writing, stating the purpose of the meeting, must be given.

28. General Meetings

All general meetings shall be chaired by the Chairman of the Federation.

29. Secretary

At all general meetings of the Federation, the secretary of the Administrative Council shall also act as secretary of the meeting, unless the majority of the persons voting at the meeting otherwise decide to appoint another person for the purpose.

30. Quorum

Unless fifty (50) percent of the delegates entitled to attend a meeting are present at the appointed time for the meeting, the meeting shall be held thirty (30) minutes later, provided that at least twenty five (25) percent of the delegates entitled to attend are present.

31. AGM Agenda

When members wish a matter to be discussed at an Annual General Meeting, the text of such matter, signed by the secretary of the Federation member shall be sent in writing by ordinary mail or email to the secretary of the Administrative Council of the Federation at least fifteen (15) days prior to the date that such meeting is convened in order that this may be included in the agenda. A copy of the agenda shall be sent to each Federation members by ordinary mail or email at least seven (7) days prior to the holding of such meeting. In the event that any member fails, for any reason whatsoever, to receive the agenda, this shall not invalidate the procedure.

Any business which does not form part of the agenda shall not be discussed at the AGM, unless it is a matter arising and which is ancillary to a subject on the agenda, or unless the Chairman deems it to be an urgent matter, and the Members attending the AGM agrees to discuss it. A simple majority will prevail in deciding to discuss any such matter

32. Speeches and Reports at the General Meetings

All speeches and reports should be written reports, put on the Agenda of an AGM/EGM and read during an AGM/EGM. A 'hard copy' of the speeches and reports is to be signed and passed to the MMF Secretariat. These reports are to include the President's, Secretary and Treasurer's Annual Reports. The Officer delivering the report is to read the written report.

33. Adjournment of General meeting

The Chairman of the Federation may adjourn meetings from time to time, but no business shall be transacted other than that left unfinished at the meeting during which the adjournment took place.

34. Voting at General meetings

Every resolution and amendment proposed and seconded at a general meeting of the Federation shall be put to the general meeting by the Chairman and decided by a show of hands, or by secret ballot if so required by any member, provided that in the event of an equality of votes, the President of the Administrative Council shall have a casting vote. The declaration of the President as to the decision of the meeting shall be final.

35. Minutes of General meetings

Proper minutes of all proceedings shall be kept, and such minutes, which shall be signed by the General Secretary and counter-signed by the President of the Administrative Council, shall be sufficient proof of the facts stated therein.

Minutes shall be circulated to all members and all other delegates attending the meeting within two (2) weeks of the termination of the general meeting.

## **PART 4. AUDIT**

### **36. Appointment of auditors**

- a) At each Annual General Meeting, audited accounts by at least one (1) warranted auditor shall be presented to the voting members of the Federation.
- b) The voting members may approve the audited accounts during the AGM.
- c) Members of the councils shall not be eligible for appointment as auditors.

### **37. Indemnification of council and others**

The members of the Administrative Council, representatives, Federation members, and auditors shall be indemnified by the Federation for all losses and expenses incurred by them in their discharge of their respective duties, except for those arising from their own respective wilful default, or, in the case of an auditor, as a result of his own negligence or wilful default, or that of any partner or employee of such auditor.

### **38. Members of Administrative Council and others not liable for losses**

No member of the Administrative Council, representatives, Federation member, or auditor shall be liable for any misdemeanour of any other member of the Administrative Council, representatives or auditor, or for joining in any receipt or document, or for any act of conformity, or for any losses or expenses happening to the Federation, unless the same happens from his own wilful default, or in the case of an auditor from his own negligence or wilful default, or that of any partner or employee of such auditor.

### **39. Members to be bound by the statute**

Every club, foundation or association, prior to becoming a member of the Malta Motorsport Federation, shall undertake to be bound by the statute and the bye laws in force at the time of their admission, or which shall be in force from time to time thereafter, and also to accept as final and binding the decisions of the Administrative Council in all cases of disputes or disagreements as to the interpretation of the statute, bye laws, and all other regulations issued by it.

### **40. Disciplinary and Appeals Commissions**

The Administrative Council of the Federation shall establish a Disciplinary Commission which shall be composed of 3 persons appointed and approved by the Administrative Council chosen from outside the MMF, but may also be chosen from among the affiliated members of the Federation and who shall have no personal interest whatsoever in any matter being discussed. The decisions taken are binding. However decisions taken by the Disciplinary Commission may be appealed to an Appeals Commission. For this purpose, The Federation shall appoint an Appeals Commission which shall be composed of 3 persons who shall be approved by the Administrative Council chosen from outside the MMF, but may also be chosen from among the affiliated members of the Federation. No member sitting on the Appeals Commission may have any personal interest in any matter being discussed. Decision taken by the Appeals Commission shall be final. Members of the Administrative Council shall not be eligible for appointment on the Disciplinary Commission and/or Appeals Commissions.

### **41. Vote of No Confidence**

A vote of no confidence on an officer, is a vote which can be taken during a Council meeting after due notification in the meeting Agenda.

- i. For a vote to be taken, it must be duly requested in writing to the general secretary, seconded by another council member, stating the main reasons for the motion before inserting it in the meeting agenda and any vote is taken.

- ii. Officer must be notified with the motion, who must attend the meeting. If officer does not attend the meeting without due notification for his absence and/or does not attend two consecutive convened meetings with such notification in the Agenda, then motion can pass for vote in his absence.
- iii. If a 'Vote of No Confidence' is approved by the majority of those present during the council meeting, then the officer can appeal against the vote of no confidence with the Appeals Commission as per Bye-Laws 40 of this statute within 15 days from the vote.
- iv. If the Appeals board re-confirms the vote taken by the Council, and/or if the officer does not appeal against this vote of no confidence, then the officer is no longer deemed fit to hold his position and will lead to his immediate dismissal from his post within the Federation.
- v. Officers whose term of office was terminated by a vote of no confidence cannot hold office and/or attend any Federation meetings and/or be part of any activities of the Federation for at least after 24 months from the date of the vote of no confidence.
- vi. If the Appeals Commission does not withhold the council vote, then officer can retain his post and vote of no confidence will be declared as defeated.

#### 42. Censure Motion

A censure motion on an officer is meant to show disapproval and does not result in the resignation of that officer from his position in the Federation. Censure motions, which do not need to be notified in the meeting Agenda, need to state the reasons for the motion during Council meeting before any vote is taken. Officer who is served with a censure motion, may be present during the meeting, so that a vote can be taken during the council meeting but is not compulsory.

### **PART 5. COMING INTO FORCE OF THE STATUTE AND BYE LAWS OF THE FEDERATION**

The Statute and Bye Laws of MMF as amended during the last Annual General Meeting shall come into force on the 27<sup>th</sup> November 2014.



**Mr. Tonio Cini**  
President



**Mr. Oliver Attard**  
General Secretary