

STATUTE of CARITAS MALTA EPILEPSY ASSOCIATION

A Philanthropic Organisation

Amended **June 2006** during the Biennial General Meeting

Article 1. **NAME.**

The name of the Association shall be “Caritas Malta Epilepsy Association”.

Article 2. **ADDRESS**

The official address of the Association shall be :

Caritas Malta Epilepsy Association, 5 Lion Str., Floriana, Malta, or such other address as may be determined by the Committee from time to time.

Article 3. **MISSION STATEMENT OF THE ASSOCIATION.**

The Caritas Malta Epilepsy Association shall aim to help persons with epilepsy to enjoy an improved quality of life. This can best be achieved through the association having the aim and ideals as hereunder stipulated.

Article 4.0. **OBJECTIVES.**

4.1.0. The objectives of the Association shall be:

4.1.1. To promote public awareness and education about epilepsy and the needs of people who have this condition;

4.1.2. To improve the public image of the person with epilepsy;

4.1.3. To enhance the self-image, self-confidence and self-reliance of people with epilepsy;

4.1.4. To stifle local discrimination of people with epilepsy and minimise the social consequences brought about by epilepsy;

4.1.5. To counsel and educate persons with epilepsy and their families or their legal guardian/s on coming to terms with, and adapting to epilepsy

4.1.6. To present the interests, rights, needs, grievances and problems of persons with epilepsy to the notice of policy makers;

4.1.7. To promote the exchange of information with other organisations;

4.1.8. To co-operate with other persons wishing to form other organisations for the welfare of persons with epilepsy and/or their families or their legal guardians; and,

4.1.9. To encourage and promote research.

Article 5.0. GENERAL POLICY

- 5.1. The Association shall be an autonomous body within Caritas Malta
- 5.2. The Association shall be a non-profit making institution and any excess of funds received or generated from its activities must always be reinvested in the Association.
- 5.3. The Association shall have its accounts audited and published on a yearly basis.
- 5.4. Without prejudice to its autonomy, the Association will collaborate with other entities on a national, regional or international basis in furtherance of its aims.
- 5.5. The Association shall not have any political or trade union affiliation and it shall not indulge in party politics.
- 5.6. All prospective Supporting and Associate Members of the Association shall have access to the statute of Association upon demand. Prospective members will be required to state that they are aware of the objectives of the group.

Article 6.0. STRUCTURE AND MEMBERSHIP.

- 6.0 Membership with full voting rights at age 16, is for people with epilepsy and their families, as well as other interested parties.
- 6.1 The Affairs of the Association, in all matters not in these rules reserved for the Association in General Meeting, shall be managed by the Executive Committee of the Association. Provided that the Executive Committee shall have, as its primary function but not limited to, the management and allocation of the proceeds of all fund raising activities.
- 6.2 The Executive Committee shall consist of not less than six (6) Members and not more than eight (8) Members of the Association who shall be elected every two years at a General Meeting of The Association.
- 6.2i Any person wanting to contest the election, has to show his/her intent at least 2 months prior to the election date
- 6.2ii A new member who wishes to form part of the committee has to show his interest in the work of the Association for at least a year, otherwise said person can be co-opted and then becomes a full voting Member of the committee at such a date as the acting committee sees fit.
- 6.2iii Should no person show an interest to contest the election, unless there is an objection the acting Committee will be re approved for the following term
- 6.3 In order that a vote can be taken during a meeting of the executive committee, and in view that there may be instances when few members are present, only six members will be official members with voting power whereas the other two will be co-opted. This will enable the committee to have enough members to pass a vote. At the end of the two year period, they shall all go out of office, but shall be eligible for re-election.
- 6.4 In the event that one of the six will either resign or will have to step down for whatever reason, one of the co-opted members will take his/her place. The other official members will pass a vote as to who will do so during a committee meeting. Any member not attending committee meetings for 3 consecutive times without a very valid reason will automatically have to step down. Those who will have to absent themselves due to other commitments will also have to resign their posts and if agreeable to them work as members of a sub committee. This will guarantee the continuity of the work of the executive.

- 6.5 The elected members will elect a Chairperson, an Honourary Secretary and an Honourary Treasurer, amongst them.
- 6.6 The Executive Committee may from time to time and at any time appoint any Member of the Association who during the election of the Committee had obtained the next higher number of votes as a member of the Committee to fill a casual vacancy. Any member so appointed shall retain his office only until the next General Meeting, but he shall then be eligible for re-election.
- 6.7. The Executive Committee shall be elected to office for a period of three (3) years by secret ballot or automatically as stated in point 6.2iii above.
- 6.8 No person who is not a member of the Association shall be eligible to hold office as a Member of the Executive Committee. She or he should have been a member for at least 6 months, unless accepted by the Committee.
- 6.9 Nominations for the Executive Committee must be submitted on the appropriate official forms fourteen (14) days prior to the Biennial General Meeting. In the absence of prior nominations reaching the Committee on the appropriate date, the outgoing Committee may invite nominations from the floor on the day of the Biennial General Meeting.

7.0. POWERS OF THE EXECUTIVE COMMITTEE

- 7.1 The business of the Association shall be managed by the Executive Committee which may pay all such expenses, preliminary and incidental to, the promotion, formation, establishment and registration of the Association as they think fit.
- 7.2. Legal representation of the Association shall vest in the Chairperson, the Secretary and the Treasurer.
- 7.3. No regulation made by the Association in a General Meeting shall invalidate any prior act of the Executive Committee which would have been valid if such regulation had not been made.
- 7.4. The Members for the time being of the Executive Committee may act notwithstanding any vacancy in their constitution.

8.0 CHAIRPERSON

- 8.1 The Chairperson elected at the Biennial General Meeting will preside at all Executive Committee and General Meetings of the Association.
- 8.2 The Executive Committee will elect from among its members a Deputy Chairperson and may determine for what period he/she is to hold office, who will preside with full powers in the absence of the Chairperson.
- 8.3. Provided that in the absence of both the Chairperson and the Deputy, provided a quorum is available, the Executive Committee will have the power to appoint a substitute/s to conduct the meetings. The Executive Council may remove any Deputy Chairperson in which case he/she shall remain a Member of the Council.

9.0 SECRETARY

- 9.1. The Hon. Secretary elected at the Biennial General Meeting will be responsible for all the secretarial and administrative work of the Executive Committee.

9.2. The Executive Committee may elect from among its members an Assistant Secretary to assist the Hon. Secretary as necessary. Any Secretary so appointed by the Executive Committee may also be removed by them, in which case however he/she shall remain a member of the Executive Committee. The Hon. Secretary and his/her assistant shall undertake such functions in respect of the Association as the Executive Committee may determine from time to time. No remuneration (except by way of reimbursement of out of pocket expenses, if any) shall be paid to the Hon. Secretary or his /her assistant in respect of their office.

9.3. Every such appointment shall be for such a period and on such terms as the Committee shall think fit.

10.0 TREASURER

10.1. The Hon. Treasurer elected at the Biennial General Meeting will be responsible for all the Financial and Accounting work of the Executive Committee.

10.2. The Executive Committee may elect from among its members an Assistant Treasurer to assist the Hon. Treasurer elected at the Biennial General Meeting. Any Asst.Treasurer so appointed by the Executive Committee may also be removed by them, in which case however he/she shall remain a member of the Executive Committee. The Hon. Treasurer and his/her Assistant shall undertake such functions in respect of the Association as the Executive Committee determine from time to time. No remuneration (except by way of reimbursement of out of pocket expenses, if any) shall be paid to the Hon. Treasurer or his /her assistant in respect of their office.

10.3. Every such appointment shall be for such a period and on such terms as the Committee shall think fit.

11.0 DISQUALIFICATION OF MEMBERS OF THE EXECUTIVE COMMITTEE

11.1 The office of an Official Member of the Committee shall be vacated:

- (a) If he/she ceases to be a member of the association.
- (b) If by notice in writing to the Association, he/she resigns his/her office.
- (c) If he/she is removed from office by a resolution duly passed pursuant to Clause 12.1 of this Statute.
- (d) As stated in Clause 6.4

12.0 SUSPENSION

12.1. The Association may by a resolution taken at an Extraordinary General Meeting remove any member of the Committee before the expiration of his/her period of office if he/she is guilty of repetitive disruption of meetings, hinders the function of the Association or breaks the confidentiality and trust of other members, and may by the same or another resolution appoint another member in his/her stead; but any person so appointed shall retain his/her office so long only as the member in whose place he/she is appointed would have held the same if he/she had not been removed.

13.0 PROCEEDINGS OF THE EXECUTIVE COMMITTEE

13.1. Subject as hereinafter provided, the Committee may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. The Committee shall meet at least once every one (1) month.

13.2. The quorum necessary for the transaction of the business of the Committee shall be three (3) provided that if no quorum is present within half an hour from the time appointed for the meeting, the meeting shall be adjourned to another day within one week . If at such adjourned meeting no quorum is present within half an hour from the time appointed for the meeting, provided three (3) members are present, the meeting shall proceed accordingly. Questions decided at any meeting of the Committee shall be decided by a simple majority of votes. In case of an equality of votes, the Chairperson of the meeting shall ask for a re-vote. In the event of an equality of votes on the revote, the Chairperson of the meeting shall have a second or casting vote.

13.3. On the request of the Chairperson or his/her Deputy the Secretary shall, at any time, summon a meeting of the Committee by notice (stating the time and place of such meeting) served upon the several members of the Committee. A member of the Committee who is absent from Malta shall not be entitled to notice of a meeting. Any accidental failure to give such notice to any member of the Committee entitled thereto shall not invalidate any of the proceedings of such meeting so long as a quorum is present thereat.

Provided that a meeting may be called within fifteen (15) days, if there is the written request of at least ten (10) members of the Association.

13.4. A meeting of the Committee at which a quorum is present shall be competent to exercise all the authorities, powers and discretion by or under the regulations of the Association for the time being vested in the Committee generally.

13.5. The Committee may delegate any of its powers to committees consisting of such member or members of the Committee or of such other persons as it thinks fit, and any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations imposed on it by the Committee.

13.6. The Committee shall cause proper minutes to be made of all appointments of officers made by the Committee and of the proceedings of all meetings of the Association and of the Committee and of committees of the Committee, and all business transacted at such meetings, and any such minutes of any meeting, if purporting to be signed by the Chairperson and Secretary of such meeting, or by the Chairperson and Secretary of the next succeeding meeting, shall be sufficient evidence without any further proof of the facts therein stated.

13.7. A resolution in writing signed by all the members for the time being of the Committee or of any committee of the Committee who are entitled to receive notice of a meeting of the Committee or of such committee shall be as valid and effectual as if it had been passed at a meeting of the Committee or of such committee duly convened and constituted.

14.0 SUBSCRIPTIONS, FINANCES AND ACCOUNTS

14.1. The funds of the Association shall also be collected from voluntary contributions, donations or grants by members, benefactors or the State and from fundraising activities.

Provided that the funds of the Association shall be deposited in a bank account of a reputable local bank in the name of Malta Epilepsy Association and the account and the authorised joint signatories for operating such an account shall be the Chairperson, the Secretary and the Treasurer. Any two of the three signatures will suffice.

14.2. The Treasurer shall keep such proper books of account as will enable him to present at every General Meeting of the Association, or at any other time if required (on reasonable notice to him) by the Committee, an accurate report and statement concerning the finances of the Association.

15.0 GENERAL MEETINGS

15.1. An Annual General Meeting of the Association shall be held in every year, and there shall not be more than fifteen (15) months between one Annual General Meeting and the next. Notice of the day and time of the Annual General Meeting shall be given to each member at least fourteen (14) days before such day.

15.2. A General Meeting of the Association may be summoned by the Committee, and shall be so summoned immediately upon a request by not less than one-third of the general membership.

15.3. At any General Meeting of the Association every member of the Association shall be entitled to be present, and every Member shall be entitled to one (1) vote upon every question raised. In the case of equality of voting, the Chairperson of the meeting (who shall be a member elected for the occasion by the meeting

before any other business is opened) shall have a second or casting vote. The Secretary shall take minutes of the proceedings at all General Meetings of the Association.

15.4. The Secretary shall present the Annual Report of the Association to the Annual General Meeting.

15.5. The quorum for the Annual or any Extraordinary General Meeting shall be 20% of the general membership. In the absence of such quorum, the General Meeting shall be held, with the same agenda, fifteen minutes later and all decisions taken shall be binding on the Association as a whole.

15.6. The auditors shall be nominated and elected by the members attending and having a right to vote at General Meetings. No auditor who has held office on the Committee during the past twelve (12) months will be eligible for nomination.

16.0 CONDUCT OF MEMBERS

16.1 Every member shall conform to the Association's Code of Ethics. Any member or members alleged to have brought, or attempted to bring disrepute on the association, shall be asked to appear before the Committee and if, in the opinion of the Committee, the case be found proven, the member shall be deprived of his/her membership. If the said member fails to appear before the Committee without justification he/she shall be deprived of membership.

17.0 NOTICES

17.1 Each member shall keep the Secretary informed of that member's private address or of some other address at which communications may be addressed for him.

18.0 ALTERATION OF STATUTE

18.1. This Statute may be revoked, added to or altered by a majority comprising two-thirds or more of the membership present and entitled to vote at any General Meeting of the Association of which notice has been duly specifying the intention to propose the revocation, addition or alteration, together with full particulars thereof.

19.0 DISSOLUTION

19.1. If the number of members of the Association shall at any time fall below five (5), or if at any time the Association shall pass in General Meeting by a majority comprising two-thirds or more of the members present and entitled to vote a resolution of its intention to dissolve, the Committee shall take immediate steps to settle any debts, and dispose of the monies and property remaining as determined by the General Meeting; and thereupon the Association shall for all purposes be dissolved.

19.2. In the event of dissolution of the Association, any remaining funds and/or property shall be donated to a charitable institution.

