

MALTA HANDBALL ASSOCIATION

STATUTE



August 2010

Chapter I

CONTITUTION, AIMS, COMPOSITION AND HEADQUARTERS

Art. 1 Constitution & Aims

- 1.1** The Malta Handball Association is an association founded in the year One Thousand Nine Hundred and Ninety Five (1995) with the aim to promote, regulate and develop the game of Handball in Malta and its dependencies.
- 1.2** For this purpose the Malta Handball Association shall be registered with the Malta Sports Council (KMS) and affiliated to the Malta Olympic Committee (MOC), by whom it is recognized as the sole representative of the sport of Handball both domestically and internationally. It shall also be affiliated to the International Handball Federation (IHF) and to the European Handball Federation (EHF) whose laws and regulations it accepts.
- 1.3** The MHA – as the Malta Handball Association will be referred to in this statute – is an association, which does not permit any discrimination whether it is racial, political or religious.

Art. 2 Composition

- 2.1** The MHA is made up of those sport associations that practice the game of handball and also of those constituted clubs or individuals, who take part in the game either competitively, technically or in any organizational capacity.
- 2.2** The method of affiliation of clubs with the MHA and the system of registration of players, coaches, referees and other technical staff shall be covered by appropriate regulations.
- 2.3** The affiliated sport clubs or constituted bodies or registered individuals shall, on becoming members (Full or Associate) of the MHA assume the obligation to observe its statute, laws and regulations.

Art. 3 The Headquarters

- 3.1** The headquarters of the MHA shall be at the National Swimming Pool Complex, Tal-Qroqq, Msida or at any other premises as the General Meeting may, from time to time determine.

Chapter II

THE STRUCTURE OF THE MALTA HANDBALL ASSOCIATION

Art. 4 **The M.H.A. shall be governed by:**

- i) The General Meetings
- ii) The Council
- iii) The President's Council
- iv) The Executive Committee
- v) Any Board / Sub-Committee appointed by a General Meeting, a Council or an Executive Committee.

Chapter III

THE GENERAL MEETINGS

Art. 5 The General Meetings of the Malta Handball Association are:

- i) The Ordinary General Meeting
- ii) The Extraordinary General Meeting

Art. 6 General Meetings – Constitution, Scope, Convening and Admission to

6.1 The General Meeting is the highest body of the Association and it is the expression of all the affiliated clubs who participate with equal rights.

6.2 The General Meeting shall be either Ordinary or Extraordinary.

(A) The Ordinary General Meeting

6.3 This meeting is convened to elect persons to the posts on the Executive Committee not later than the 30th of September of the year of the Summer Olympic Games. It will also be convened not later than 120 days following the end of the competitive season of each of the other three years of the four-year Olympic period.

The date and venue of the General Meeting shall be fixed by the Executive Council. Primarily it will deal with the following:

- i) It will discuss and finally approve the Administrative, Technical and Financial Reports presented by the Executive Committee
- ii) Elect the President and the other members of the Executive Committee as identified in Article 18 of this Statute. The persons elected will remain in office for the four (4) years between the Summer Olympics.
- iii) Appoint Auditors.
- iv) Discuss any Item on the Agenda.
- v) May nominate one or more Honorary Presidents. In order that these nominations are approved a qualified vote of two thirds of the valid votes of the members present at the time of the roll call is required.

(B) Extraordinary General Meeting

It is convened by the Executive Committee to discuss and decide on proposed amendments to the Statute and in Serious and/or Grave circumstances. It may also be convened following a written request presented and signed by at least fifty per cent (50%) of those

affiliated clubs who have a right to vote. It may be convened on the same date and at the same venue when and where the Ordinary General Meeting is being held.

Art. 7 Composition and Right of Admission

The General meetings (both Ordinary and Extraordinary) shall be composed of the legal representatives of the affiliated clubs. The Executive Committee and the Chairmen of the various Commissions may also attend the meeting as observers with a right to speak but not to vote. Persons contesting election to any post are also admitted as observers without any right to speak or vote.

Art. 8 The Right to Vote

8.1.1 Every affiliated club (Full Member) in order with this Statute and with all the rules and regulations of the M.H.A. is by right entitled to a vote, this provided that the club has honoured all its commitments in the senior leagues in which it is entitled to participate.

8.1.2 The club so entitled to vote in virtue of Art. 8.1.1 must further have paid all its dues prior to the meeting.

8.2.1 At those General Meetings when an affiliated club has a right to vote as described in Art. 8.1.1 & 8.1.2 will also have a right to further votes in the same number as it had teams participating in the senior leagues during the season immediately preceding the General Meeting.

8.2.2 The club will lose an extra vote to which it is entitled in virtue of the participation of the second or other teams if the second or other teams do not satisfy the conditions laid down in this article.

8.2.3 A club is entitled to extra votes as many as it had other teams as laid down in this Article provided that the number of votes does not exceed three (3).

8.3.1 For the purpose of the convening of an Extraordinary General Meeting an affiliated full member club will only have a right to one (1) vote.

8.3.2 Notwithstanding the provision laid down in Art. 8.3.1 a club if entitled will still have the right of extra votes during voting at the Extraordinary General Meeting.

Art. 9 Establishment of the Number of Votes

- 9.1** The number of votes to which an affiliated club has a right to will be established by the office of the General Secretary.
- 9.2** A list indicating the number of votes to which an affiliated club is entitled to make use of during a forthcoming General Meeting shall be prepared by the General Secretary.
- 9.3** The list as described in Art. 9.2 must be delivered to all clubs at least fifteen (15) days prior to the scheduled date of the General Meeting.
- 9.4** A club that does not agree with the number of votes allotted to it may protest, in writing, to the President of the M.H.A., provided that such protest is delivered by not later than three (3) days before the meeting.
- 9.5** A right of appeal to the General Meeting is given, if the club is still not satisfied with the President's decision.

Art. 10 Representation at the General Meeting

- 10.1** During General Meeting, clubs may only be represented by their official delegates. Official delegates may still however be substituted, provided that such substitutes are club committee members and provided further that the Club president designates them.
- 10.2** A designation by the president for a committee member to represent his/her club must be made in a letter addressed to the General Secretary, and to him presented before the roll call at the same General Meeting.
- 10.3** He/She who is neither a club delegate or has not been so designated as per Articles 10.1 & 10.2 will only be permitted to be present at the meeting as an observer without the right to speak or to vote.

Chapter IV

THE MALTA HANDBALL ASSOCIATION COUNCIL

Art. 11 Definition.

The Council shall be the Policy making body of the Malta Handball Association.

Art. 12 Composition

12.1 The Council shall be composed of:

- i) The members of the Executive Committee.
- ii) One delegate of each of the affiliated clubs.

12.2 Those clubs taking part in the local senior competitions are entitled to nominate a delegate. A club may also appoint a substitute delegate.

Art. 13 Appointment of Sub-Committee & Special Committees

- i) The Council has the power to appoint Sub-Committees and / or Special Committees.
- ii) Any Sub-Committee or Special Committee so appointed shall be given terms of reference as the Council may agree to.
- iii) The Chairperson and the number of persons to sit of these Sub-Committees / Special Committee and the quorum required for such meetings shall be decided upon by the Council.
- iv) Sub-committees and Special Committees may be required to present written reports to the Council, once these are presented and read shall be noted in the minutes.
- v) The Council shall nominate persons who shall be eligible to be appointed by the President of the Association on Disciplinary, Protests and Appeals Boards.

Art. 14 Meetings

14.1 The Council shall meet at least three (3) times during the Handball year – i. by the 30th September, - ii during November/December and iii during February/March.

14.2 The Council shall meet on any other occasion following a request of any member of either the Council or the Executive Committee.

Art.15 Voting

- 15.1** During the meetings of the Council, each member shall have one (1) vote. The Chairperson in the case of a parity of votes shall also have the right of a casting vote.
- 15.2** The substitute delegates once the delegate is present will have neither the power to speak or to vote during Council meetings.
- 15.3** Voting at Council meetings shall be taken by show of hands.
- 15.4** Notwithstanding the provision laid down in 15.3 any member of the Council has the right to request a Secret vote. Such a request cannot be denied.

Art.16 Calling of a Meeting.

- 16.1** Council meetings shall be summoned by the Secretary General.
- 16.2** The Notice for the meeting shall be forwarded to all those entitled at least seven (7) clear days before the date of the meeting.
- 16.3** Whenever following the approval of the President, a Council meeting is convened with urgency; the seven-day notice may be done away with. It still remains imperative that a notice is served on all those entitled.

Art.17 Quorum

- 17.1** Fifty per cent (50%) plus one (1) of all the members with a right to vote shall form a quorum at all meetings.
- 17.2** If the quorum is not attained within thirty (30) minutes from the advised time the meeting shall not be held.
- 17.3** In the case defined in Art 17.2, the Secretary General is to reconvene the meeting on a date not before seven (7) days and not later than thirty (30) from the original date.
- 17.4** When a meeting has been reconvened in terms of Art. 17.2 & 17.3 and no quorum is present within thirty (30) minutes of the scheduled time the meeting shall start without a quorum.

Chapter V

The President's Council

Art. 18 Composition

The President's Council is formed by the President, the Vice-President w/duties of General Secretary and the Technical Director elected on the Executive Committee. It is the highest body within the Executive Committee.

Art. 19 Duties of the President's Council

Since the President's Council is composed exclusively of independent people it will primarily deal with matters that concern affiliated clubs directly. It will direct the Executive Committee and resolve any conflicts that may arise internally.

Art. 20 Meetings

The President's Council shall be chaired by the President and shall meet as often as necessary. It shall prepare the agenda for the Executive Meetings.

Chapter VI

The Executive Committee

Art. 21 Composition

The Executive Committee shall be composed in hierarchical order of the following officers, duly elected by the General Meeting

1. The President
2. The Vice-President w/duties of General Secretary
3. The Technical Director
4. The Competitions Secretary
5. The Development Officer
6. The PRO
7. A member

Each elected member of the Executive Committee will have a right to a vote.

Art. 22 The Duties of the Executive Committee

Definition

The Executive Committee is the competent authority to discuss and adopt all those provisions and sanctions necessary to secure and increase the proper functioning of the Association in all those areas that are not the direct responsibility of the Council. For this purpose the Executive Committee is empowered to establish Boards, Sub-committees and Commissions.

The Executive Committee is to see that a proper disciplinary code is maintained at all times.

It shall be the duty of the Executive Committee to:

- 22.1** Run the affairs of the M.H.A. in conformity with the policy laid down by the Council, the General Meeting and the provisions of this Statute.
- 22.2** Approve the budget and its variations.
- 22.3** Approve the Financial and Administrative report prepared by the General Secretary.

Art. 23. Election, Tenure of Office & Substitution of the Officers of the Executive Committee.

- 23.1** The Officers mentioned in Article 21 of this Chapter shall be elected during the General Meeting held during the year of the Summer Olympic Games.
- 23.2** All these Officers shall remain in office for the duration of the four (4) years of the Olympiad.
- 23.3** Any post that becomes vacant following the resignation, demise or inability of the elected person to continue in office shall be substituted in accordance with this Statute, or in the manner established by a General Meeting convened for this purpose. If the General Secretary resigns, the President shall convene a General Meeting to elect a new General Secretary.
- 23.4** A person contesting the post of President, Vice-President w/duties of General Secretary and Technical Director as defined in Art. 21 shall at the time of nomination have severed any connection with any club eligible to attend or vote at a General Meeting. He may neither hold any office with another local Sports Association / Federation excluding the M.O.C. or any Government Sports Board, or any other post directly connected with his/her employment.

Art. 24 Simultaneous Resignation

A simultaneous resignation of four of the members of the Executive Committee, with a right to vote, elected at a General Meeting, will bring about the decadence of the whole Executive Committee. In such a situation the General Secretary of the Association shall remain in office to see to the day administration of the Association. He/She shall within a maximum of thirty (30) days from the coming about of such a situation convene an Extraordinary General Meeting. This E.G.M. shall be convened in accordance with the laws of the M.H.A. shall have the specific task of re-electing the whole Committee. The newly elected Executive Committee shall remain in office until the date in which fresh elections would have become necessary had the previous Executive Committee remained in office for its whole term.

Chapter VII

The Powers Duties and Responsibilities of the Officers of the Association

Art. 25 The Powers, Duties and Responsibilities of the President

25.1 In accordance with this statute the President is:

- i) Chairman of all Boards & Sub-Committees of the M.H.A., unless otherwise ruled, with a right to attend all meetings – Boards, Sub-Committees, Commissions.
- ii) Empowered to represent the Association between Council meetings.
- iii) Empowered to sign documents binding the M.H.A.

25.2 He is in duty bound to:

- i) Discuss and agree on the Agenda before it is included in the notice of a meeting.
- ii) Preside at, and conduct the business of any meeting of which he is chairman.
- iii) See that the Statute & rules of the M.H.A. are upheld at all times.

25.3 He is expected to:

- i) Resolve conflicts and clarify issues.
- ii) Plan the strategy of the M.H.A. and provide leadership and direction to all its members.

Art. 26 The Vice-President w/duties of General Secretary

26.1 In the case of resignation of the President he / she shall be substituted by the elected Vice-President. The substitute shall remain in office until the following Annual General Meeting.

26.2 The Vice-President of the Association shall preside over Council and Executive Meetings in the absence of the President. The Vice-President shall also take charge of the treasury.

26.3 In case of resignation of the Vice-President, the Executive Committee shall proceed without its Vice-President until the following General Meeting where a new Vice-President shall be elected. The President shall take charge of the treasury until the newly elected Vice-President takes office.

26.4 Financial Responsibilities

- i) He/She shall be responsible for the financial administration of the Association taking care that all dues are collected and paid. He/She shall be responsible for the keeping of proper books of accounts.
- ii) He/She shall be responsible for the preparation of a Financial Report to be submitted for approval to the Annual General Meeting.

26.5 Duties of the General Secretary

He/she shall be the head of the Association's administration.

26.5.1 Besides being responsible for the Administration of the M.H.A. he is responsible for:

- i) The keeping of minutes of the Executive Committee and the Council meetings.
- ii) He shall also see that proper minutes are kept for all meeting of the Boards, Sub-Committees and Commissions appointed.
- iii) He shall prepare an Annual Administrative Report to be read at the General Meeting.
- iv) The observance of any other duty as described in this statute which makes it obligatory for the General Secretary to carry out.
- v) He is together with the President {Art.21.1 (iii)} empowered to sign documents binding the M.H.A.

26.5.2 The General Secretary shall, unless otherwise ruled, be Secretary of all the Boards, Sub-Committees and Commissions appointed by the M.H.A.

Art. 27 The Technical Director

- i) The Technical Director is the head of the national sector and shall be responsible for the Men's and Women's National Teams including the younger age categories. He shall prepare a technical programme for the development of the whole national sector.
- ii) He/She shall be responsible for the development of all technical staff, coaches and referees.
- iii) The Technical Director is also responsible for the appointment of MHA Delegates, Referees and Table Officials in all handball competitions.

Art. 28 The Competitions' Secretary

The Competitions' Secretary shall be responsible for the running of all handball competitions. He shall prepare the fixtures. He/she shall also be responsible for the registration of players and officials.

Art. 29 The Development Officer

The Development Officer shall see to promote and develop the game of handball amongst youths and women. He/she shall prepare a medium-long term development programme with the aim to increase the number of handball players and clubs/teams on the island. The development officer shall be responsible for the MHA Handball School and the establishment of nurseries.

Art. 30 The PRO

The Public Relations Officer shall be responsible for keeping clubs and the general public informed of what is happening within the Association. He/she shall also be the official link between the Association and the media.

Art. 31 The Member

The Member shall assist the Competitions Secretary in the running of the MHA competitions. He/she shall also be given duties as decided by the President's Council.

Chapter VIII

Eligibility, Ineligibility, Incompatibility, Financial Administration and Dissolution

Art. 32 Eligibility

All those who are citizens of Malta and its dependencies, are over eighteen (18) years of age, have no criminal record are eligible to contest and occupy any one of the posts on the Executive Committee.

Art. 33 Ineligibility

All those who:

- i) are not Maltese citizens,
- ii) have not attained their eighteenth (18) birthday,
- iii) have a criminal record,
- iv) have been suspended by the Malta Olympic Committee, the Malta Handball Association or by any other national sports association for an unaccumulated period of more than one (1) calendar year,

are not eligible to stand for election to the Executive Committee.

Art. 34 Incompatibility

34.1 It is not compatible for any person elected to one of the seven (7) posts on the Executive to retain any executive post he/she might have with any other national sports association/federation, excluding the M.O.C. or any Government Sports Board/ Council.

34.2 As a natural consequence of his/her being elected to the Executive Committee it is expected that he/she resign from any other executive post on any National Association/ Federation.

34.3 No person other than the Competitions Secretary, the Development Officer, the PRO and the Member elected to the Executive Committee may continue to retain any post executive or otherwise with a club or association affiliated to the MHA.

34.4 A person elected on the Executive Board shall not occupy more than 1 (one) post. However, he/she may assume the duties of another post if that post has been left vacant.

Art. 35 Financial Administration

The financial year of the Malta Handball Association shall end on the 30th of June of each calendar year. It is the responsibility of the Executive Committee to see that the finances of the MHA are administered within the parameters of the approved budgetary provisions. The responsibility for the approval of the final accounts together with the Auditors report lies with the General Meeting.

Art. 36 Dissolution

36.1 Only the Executive of the Malta Olympic Committee, acting on a proposal discussed and approved by an Extraordinary General Meeting of the MHA is empowered to dissolve the Association.

36.2 A proposal for dissolution must obtain the approval of eighty per centum (80%) of all the clubs with a right to vote.

36.3 For the purpose of this article and notwithstanding what is provided for elsewhere in this statute, clubs will only be entitled to one (1) vote each.

36.4 In case of dissolution, the Malta Olympic Committee shall be empowered to liquidate the Malta Handball Association and consequently recognise a new Association to run Handball in Malta.

Art. 37 Enforcement of provisions and Arbitration.

37.1 Any action intended to avoid the observance of any provision of this statute of any provision made by the Executive Committee or the Council is considered sufficient reason to move for the exclusion of the defaulter from the Malta Handball Association.

37.2 The affiliated clubs, all their associates and members are generally considered in duty bound to observe this statute, the laws and regulations and all the decisions of the Malta Handball Association. They are also bound not to take part in legal action or any intervention by third parties (from outside the Association) against the Malta Handball Association.

37.3 Whenever differences between clubs or other affiliated members crop up, on matters of a purely sporting nature, and which no other body within the Malta Handball

Association is competent to deal with, the President, in order to settle the differences, shall appoint chairpersons for the Disciplinary, Protests and Appeals Boards. The Boards shall regulate their own proceedings.

Art.38 Amendments to the Statute

This statute approved by the General Meeting can only be amended by another General Meeting obtaining two-thirds (2/3 Majority vote of all members having a right to vote and present at the beginning of the debate

Art.39 Laws and Regulations

Although not forming part of this statute any Law or Regulation freely decided upon by the Council is to be considered as valid and in force from the moment of its approval.