

STATUTE

MALTA MARITIME LAW ASSOCIATION

NAME

1. The name of the Association is the “MALTA MARITIME LAW ASSOCIATION”. Its seat is in Maritime Trade Centre, Xatt l-Ghassara tal-Gheneb, Marsa, Malta or as the Executive Committee may decide from time to time.

CHARACTER OF ASSOCIATION

2. The association shall be a non-profit, voluntary and autonomous organization as defined in the Voluntary Organizations Act (Chapter 492 of the Laws of Malta).

OBJECTS

3. The objects and purpose for which the Association is hereby constituted are:
 - (a) to promote the advancement of Maritime Malta and its administration as an international maritime services centre;
 - (b) to actively research, discuss and circulate information on developments taking place on the international plane and within the European Union;
 - (c) to promote with international and regional organisations or associations and other national maritime law associations the harmonisation and unification of conventions and other instruments related to the maritime sphere and to consider together with these entities proposals for new instruments having the same aim;
 - (d) to afford opportunities for the discussion and consideration of matters of interest to members of the Association and to undertake or assist in the preparation of legal instruments and papers in respect of such matters; and
 - (e) to collect and circulate statistical and other information of interest to the members of the Association and to form a collection of publications and documents accessible to the members of the Association.

MEMBERSHIP

3. There shall be two categories of membership: -
 - (a) Corporate members shall be firms and commercial partnerships being interested in the objects of the Association. Each corporate member shall be entitled to nominate representatives, not exceeding six in number.
 - (b) Individual members shall be:
 - (i) members or employees of corporate members additional to the nominated representatives;
 - (ii) lawyers, legal procurators, notaries, auditors and accountants who are in possession of a warrant in accordance with the laws of Malta;
 - (iii) students resident in Malta who are pursuing a full-time course at an academic establishment whether in Malta or abroad;
 - (iv) persons resident in Malta not eligible under (i), (ii) or (iii) above who, in the opinion of the Executive Committee are especially qualified to forward the objects of the Association.

4. Cessation of membership
 - i) A member shall cease to be a member of the Association if he:
 - a) resigns from membership, or
 - b) refuses or fails to renew his annual subscription fee, or
 - c) infringes any of the provisions of this statute, or
 - d) acts in any way prejudicial to the interests of the Association.
 - ii) It shall be in the discretion and competence of the Executive Committee to decide whether a member has committed any act of infringement as stated in paragraph (c) or (d) of sub-article (i) hereof. In the deliberation on such a decision, the committee shall consider all the circumstances of the case and shall afford the member suspected of such infringement or action every opportunity to make defence. In such a case, decision by the Committee shall be made by two-thirds majority of votes of all members present eligible to vote.
 - iii) A decision of the Executive Committee under this article shall be final and conclusive.
 - iv) Re-instatement of Members following cessation in terms of sub-paragraph (ii) above shall also be in the discretion and competence of the Executive Committee. In such a case, a decision by the Committee shall be made by a two-thirds majority of votes of all members present eligible to vote.

HONORARY MEMBERS

5. The Association may elect as an Honorary Member any person who has rendered special services in the advancement of the objects of the Association. Honorary Members shall pay no subscriptions.

OFFICERS

6. There shall be a President, Vice-Presidents, a Secretary and a Treasurer. They shall be elected at the Annual General Meeting of the Association to serve for one year and until their successors have been elected.

PRESIDENT

7. The President if present shall preside at all meetings of the Association. He shall have power to call special meetings of the Association and of the Executive Committee. In the absence of the President a Vice-President or any other member of the Executive Committee shall preside.

The President shall be an ex-officio member of all Committees.

VICE-PRESIDENTS

8. The Vice-Presidents shall perform such duties as may be assigned to them by the President or by the Executive Committee and shall discharge the duties of the President whenever, in the discretion of the Executive Committee, the disability or absence of the President makes such appointment advisable.

SECRETARY

9. The Secretary shall keep a record of the proceedings of the meetings of the Association. He shall notify the Officers and all members of a Committee of their election of appointment and shall issue notices of meetings. He shall keep a roll of the Members of the Association. He shall do and prepare such other matters as the Executive Committee may from time to time require.

TREASURER

10. The Treasurer shall collect and disburse all funds of the Association on the order of the Executive Committee and shall keep proper accounts in books belonging to the Association.

INDEMNITY TO OFFICERS

11. The officers of the Association shall be indemnified by the Association against all liabilities and expenses incurred by them in or about the discharge of their respective duties except such as arise from their own respective wilful or reckless acts or omissions.

EXECUTIVE COMMITTEE

12. The Executive Committee shall manage the affairs of the Association. It shall meet as required under Rule 7. The Executive Committee shall consist of **13** members who are elected annually from the corporate or individual members and 3 members shall constitute a quorum.

The Executive Committee, either on its own initiative or at the suggestion of any member in writing, may consider and report to a General Meeting of the Association such matters as in the opinion of the Committee concern the object of the Association.

The Executive Committee may authorize any member, officer or Sub-Committee to represent and to present the views of the Association at any National or International Conference at which it is considered that the objects of the Association call for such representation.

The Executive Committee shall fill all vacancies occasioned by death, suspension or resignation in all elected offices (with the exception of the office of President); such appointees to hold office until the next Annual General Meeting.

In the case of a vacancy in the office of President, an extraordinary general meeting shall be convened by the Vice-President, as the case may be, at the earliest convenient time possible in order to elect a new President.

The Executive Committee shall be authorized to make such contracts on behalf of the Association as are necessary for the achievement of its objects. All disbursements and funds of the Association must be sanctioned by the President of the Executive Committee or by some other member of the Executive Committee in his absence.

The Executive Committee shall lay before the Annual General Meeting a report by the President on the work carried out during the year, and an income and expenditure account made up to a date not more than six months before such meeting.

WORKING COMMITTEES

13. The work of the Association shall be delegated to:

- (a) Standing Committees, which shall be appointed by a General Meeting of the Association to study such topics as may be considered appropriate. A Chairman and Secretary shall be appointed to each Standing Committee and minutes of the meetings shall be sent to the Executive Committee following each meeting. The Standing Committee shall report to the Executive Committee when required and also to the Annual General Meeting, and
- (b) Ad hoc sub-committees, which shall be appointed from time to time by the Executive Committee to consider and to report as necessary upon any topic which is not under consideration by a Standing Committee.

GENERAL MEETINGS

14. Special General Meetings shall be held at such time and place as the Executive Committee may determine, and 10 members shall constitute a quorum.

At least fourteen days clear notice of a Special General Meeting shall be given to each member.

The Annual General Meeting shall be held in March each year unless the President with the concurrence of the Executive Committee shall appoint some other date, and 10 members shall constitute a quorum.

At least twenty-one days clear notice of the Annual General Meeting shall be given to each member.

SUBSCRIPTION

15. (1) The annual subscription fee of the Association, which will cover a calendar year, shall be:

- (i) **€50.00** for Members, payable by the 31st January of the year;
- (ii) **€23.00** for Student Members, payable by the 31st January of the year;

No part shall be returnable in the event of the dissolution of the Association or cessation of membership.

(2) Annual subscription fees for any member who is employed with the Authority for Transport in Malta or its successor in responsibility may be waived at the discretion of the Executive Committee as long as such member remains employed with the Authority for Transport in Malta or its successor in responsibility.

AMENDMENTS, ETC.

16. This Constitution may be amended at an Annual General Meeting by a vote of at least two-thirds of those present and voting, provided that notice of any proposed amendment or new article shall be given in writing to the secretary at least two calendar months and forwarded by him to each member at least ten clear days before such Annual General Meeting.

DISSOLUTION OF ASSOCIATION

17. The voluntary dissolution of the Malta Maritime Law Association may be debated at any time upon a resolution of the Annual General Meeting at a meeting where two thirds of its members are present or represented and passed by a majority of two thirds of the validly cast votes.

However, in the event of this quorum not being reached, the Annual General Meeting shall be convened again and may decide definitively and validly on this dissolution by a majority of two thirds of the validly cast votes.

Any proposal to dissolve the Association must come from the Executive Committee or from at least half of the members of the Annual General Meeting and be submitted to the members at least two months in advance.

The Annual General Meeting shall determine how the net assets of the Association shall be distributed after settling all debts and charges by allocating them, in accordance with the law, in such a manner as most closely accords with the purpose for which the association was created.

Save a resolution to the contrary by the Annual General Meeting, the Executive Committee shall have full powers to transfer all assets of the association in favour of another non-profit organization with similar purposes as the association which may be selected by the Executive Committee.

Amended as per decision at AGM 9th March 2017