



# Malta Paralympic Committee

## The Statute

### 1. Name

- 1.1 The Organisation shall be known as the Malta Paralympic Committee (**MPC**). In the interpretation of this Statute, the acronym MPC shall refer to this Organisation.
- 1.2 The Maltese Paralympic Emblem shall be the emblem as approved by the MPC in accordance with the guidelines of the International Paralympic Committee (**IPC**) and as approved by the IPC, and this shall be the exclusive property of the MPC. The official emblem of MPC is as set out in Annex I. The emblem is the property of MPC and is not to be used by any third party without prior written authorisation of MPC.
- 1.3 The MPC is a non-profit Organisation and individual members of the MPC, with the exception of those who devote themselves to the administration of the Organisation, shall accept no salary or bonus of any kind in consideration for the performance of their functions.
- 1.4 The registered address of the MPC is c/o Malta Paralympic Committee, 181, Melita Street, Valletta, VLT 1129, Malta, or such other place as may be designated by the Executive Committee from time to time.
- 1.5 The official languages of the MPC shall be the Maltese and English languages, and MPC may use either of these two languages for all official purposes.

### 2. Mission Statement

- 2.1 The mission of the MPC is to realise its ethos of *Inclusion meets Excellence* and, therefore, to (i) enable Para athletes in Malta and Gozo to achieve sporting excellence and to inspire and excite their communities and (ii) empower persons with impairments to participate meaningfully in Para sport.
- 2.2 The MPC shall act as the national governing body for sports governed by the IPC and shall support the vision and aspiration of the Paralympic Movement in contributing towards a more inclusive society for persons with physical and visual impairments (and, where the relevant Para sport discipline includes such category at an international level, intellectual, deaf or other eligible impairments) in Malta and Gozo (the **Territory**). MPC is recognised under the IPC Constitution as the sole representative of the Paralympic Movement in the Territory.



### **3. Objectives**

3. The Organisation shall have the following objectives:
  - 3.1 To develop and promote opportunities in sport for persons with impairments, from grassroots to elite levels, across all ages;
  - 3.2 To develop, support, select and lead Para athletes and accompanying delegations representing Malta at competitions and events within its remit, including major competitions such as the European championships, World championships, the Commonwealth Games and the Paralympic Games;
  - 3.3 To encourage interest in and provide comprehensive and accessible information to the potential participants and their families about various sporting opportunities that exist for persons with impairments;
  - 3.4 To establish a point of social contact and support to affiliated members, associated members, stakeholders in the sport, educational and disability sectors (among others) and the general public;
  - 3.5 To represent the interests of its members, assist them in their needs and to promote due importance and consideration to the various authorities for the benefit of its members and participants in Para sport;
  - 3.6 To encourage and promote research concerning all aspects of Para sport that is available for persons with impairments, including accessibility of communication for persons with visual and/or deaf impairments;
  - 3.7 To generate and administer the necessary funds to further the objectives of the Organisation;
  - 3.8 To further and promote the fundamental right to participate in sport as recognised under the United Nations Universal Declaration of Human Rights as a component of participation in the cultural life of the community and to safeguard the right under the United Nations Convention on the Rights of Persons with Disabilities to full and effective participation and inclusion in society on an equal basis with others;
  - 3.9 To propagate the fundamental principles of the Paralympic values and the Paralympic Movement at national level within frameworks of sports activities and contribute to, among other things, the diffusion of such values within the teaching programmes of physical education and sport in national primary, secondary and tertiary educational establishments;
  - 3.10 To promote the principles of good governance, ethical behaviour, fair play and equal participation in sport without discrimination throughout the Maltese Islands;

- 3.11 To align with the IPC, and collaborate with International Para Sport Organisations, National Paralympic Committees of other countries, National Sports Associations and Federations and other organisations and authorities, and to promote the purpose and objects of the IPC;
- 3.12 To contribute to the policy and legislative-making initiatives in relation to Para Sport at national, regional and international level and to provide forums for consultation;
- 3.13 To support and promote measures, policies, practices, and procedures relating to the well-being, safeguarding and care of athletes, sports administrators and sport officials and to commit itself to act against any form of abuse, discrimination, harassment or violence in sport;
- 3.14 To uphold the fight against the use of substances and methods prohibited by the World Anti-Doping Agency and the National Anti-Doping Agency of Malta; and
- 3.15 To maintain harmonious and cooperative relations with appropriate governmental bodies, while preserving its independence and autonomy and resisting all pressures of any kind, including those of a political, religious or economic nature.

#### **4. Affiliation**

- 4.1 The MPC shall be affiliated with the IPC, the European Paralympic Committee (**EPC**), and with any other relevant local authority or regulatory body. The Organisation shall be registered with the Office of the Commissioner for Voluntary Organisations, the Authority for Integrity in Maltese Sport (AIMS) and SportMalta, and in each case, shall observe all the rules, regulations and bylaws of the international and local organisations that it is affiliated with.
- 4.2 The MPC hereby agrees and commits to be bound by and comply with: undertakes to comply with:
  - i. the rules and bylaws of the IPC regarding the participation of Para athletes and officials at the Paralympic Games and any other competitions under its remit, and of the relevant concerned International Para Sport/Sport Organisations for competitions under their remit, as applicable;
  - ii. the IPC Constitution and its Regulations, the IPC Classification Code, the IPC Anti-doping Code, the World Anti-Doping Code, the IPC Classification Code and other related international standards, and other key IPC codes and standards that may apply from time to time;
  - iii. the terms and conditions of any financial contribution granted by the IPC and annual IPC membership fees obligations;
  - iv. lawful and binding decisions and procedures of the IPC, including decisions of the IPC Governing Board; and
  - v. intellectual property rights and requirements of IPC.

## 5. Structure of the MPC

The MPC shall be composed by:

- The General Meeting;
- The Executive Committee; and
- The Council

## 6. Membership

6. There shall be two tiers of Memberships, **Full Membership** with voting rights and **Associated Membership** without voting rights. References in this Statute to “a Member” shall, unless otherwise specified, be construed as a reference to Full Members and Associated Members.

### 6.1 Full Members with voting rights

Full members shall be properly constituted, active National Associations/Federations governing a sport on the Paralympic Programme. Such organisations should be members (in good standing) of their respective International Sport Federation or International Organisation of Sport for the Disabled (IOSD).

### 6.2 Associate Members without voting rights (speaking rights only)

Associate members without voting rights shall include:

- a. Properly constituted, active National Associations/Federations or organisations that are not eligible (i.e. not in the Paralympic Programme) for full membership but who contribute to the overall development of Para sport activities in Malta and Gozo.
- b. National Federations governing Para sports governed by the IPC.
- c. Affiliate Members who actively contribute to the development of Para sport (and this may include sports clubs, coaches, or other organisations or entities relating to sport and/or disability).
- d. Honorary Members: individuals with meritorious and outstanding service to the Paralympic Movement in Malta and Gozo. By default, this shall include all former Presidents and Secretary Generals of MPC (other than any individual who has been sanctioned, removed or resigned on disciplinary or misconduct grounds).

For a full list of sports on the Paralympic Programme and recognised International sport organisations refer to the Paralympic Sport Structure of the MPC at the time of application for membership with MPC.

## 7. Membership Rights and Obligations of Full Members

### 7.1 Membership Rights

Full Members shall have the right to:

- a. Be represented by one member who will be entitled to vote at all general meetings of the MPC, provided that their membership is up to date.

- b. Nominate candidates for the Executive Committee elections;
- c. Submit motions and be heard;
- d. Participate in all MPC activities, subject to meeting eligibility criteria of the respective activity.

## 7.2 Membership Obligations

Full Members shall have the obligation to:

- a. Develop, promote and protect the MPC's vision and mission in accordance with any MPC bylaws, codes, rules and regulations and abide by all MPC decisions;
- b. Respect the authority of the MPC to select and enter Para athletes and officials into the Paralympic Games and other IPC recognised competitions or events. The decision of MPC shall be final and binding;
- c. Pay the annual membership fee according to the amount and policy established at the MPC General Meeting.

## 8. **Membership Rights and Obligations of Associate Members without voting rights**

### 8.1 Membership Rights

Associated Members shall have the right to:

- a. Be represented by one member who will be entitled to speak at (but not vote at) all general meetings of the MPC provided that their membership is up to date;
- b. Participate in all MPC activities, subject to meeting eligibility criteria of the respective activity.
- c. Second candidates for the Executive Committee elections.

### 8.2 Membership Obligations

Associated Members shall have the obligation to:

- a. Develop, promote and protect the MPC's vision and mission in accordance with any MPC bylaws, codes, rules and regulations and abide by all MPC decisions;
- b. Respect the authority of the MPC to select and enter Para athletes and officials into the Paralympic Games and other IPC recognised competitions or events. The decisions of MPC shall be final and binding;
- c. Pay the annual membership fee according to the amount and policy established at the MPC General Meeting.

## 9. **Applications for Membership**

All properly constituted, active National Associations/Federations/Sport Unions that intend to affiliate themselves with the MPC shall submit their intention in writing to the MPC, together with the applicable registration form. The MPC Executive Committee shall decide whether the application is accepted or otherwise and the type of membership allocated to the applicant, in accordance with this Statute and relevant international protocol and IPC regulations in force at the time of such application.



The Executive Committee can request further information or clarification before making its determination. The Executive Committee also reserves the right to invite individual or entities for membership.

## **10. Suspension/Termination of Membership**

### **10.1 Suspension of Membership**

The Executive Committee of the MPC will have the right to suspend a member for any of the following reasons:

- a. Failure to pay the annual membership fee as determined at the General Meeting;
- b. Not fulfilling the criteria for Membership stated in the Statute; or
- c. Not complying with the objectives of MPC or obligations of Members, as defined in the Statute.

10.2 Before a Member is suspended, the Member shall have the right to be heard either in person or in writing by the Executive Committee.

10.3 The Executive Committee shall inform the General Meeting of all suspensions in progress.

10.4 A Member under suspension loses all rights and privileges of membership. In particular, a Member shall not be entitled to be heard, except with respect to their suspension, or vote at meetings of Members, and/or enter athletes in competitions, and/or participate in MPC activities.

### **10.5 Termination of Membership**

A Member may be terminated when:

- a. A suspension exceeds two (2) consecutive years. In this case the Executive Committee shall bring forth a recommendation to the appropriate General Meeting for either continued suspension or termination of membership;
- b. A Member withdraws its membership by delivering to the Executive Committee its written notice of withdrawal of membership. The resignation shall take effect at the time of such delivery unless a later date is specified in the resignation; or
- c. Automatically upon dissolution of a Member's organisation.

### **10.6 Disciplinary and grievance procedures**

- a. In the event of alleged (a) misconduct, misbehaviour, unethical or unlawful conduct; (b) breach of this Statute or by-laws, rules or regulations of MPC, or (c) breach of the Paralympic Games terms of participation (or terms of participation of other competitions within MPC's remit), the Executive Committee will have the right to rescind any privileges to any Member, or to any official or Para athlete affiliated with such member, or enforce any other restriction it may deem fit to impose depending on the gravity of the case. In deciding

any given case, the Executive Committee shall ensure that the individual(s) concerned is given a fair hearing.

- b. The Executive Committee will either decide the matter on its own merits (or delegate to a sub-committee of the Executive Committee) or else, should the matter be particularly sensitive or of an important nature, refer the matter to the other pertinent authorities with jurisdiction to decide such matters under applicable law, or else set up a disciplinary board composed of three independent persons (**Disciplinary Board**). The appointed Disciplinary Board shall have the right to regulate its own procedure and may impose restrictions it may deem fit to impose depending on the gravity of the case.
- c. If the MPC receives a written complaint or grievance from a Member, a Para athlete, official or other third party against any action of an official of the MPC, or against any official appointed by the MPC, the MPC shall, where appropriate, refer the matter to the other pertinent authorities with jurisdiction to decide such matters under applicable law, or else refer the matter to a complaints board composed of three independent persons (**Complaints Board**). The appointed Complaints Board shall have the right to regulate its own procedure and may impose restrictions it may deem fit to impose depending on the gravity of the case.
- d. Any decision taken by the Disciplinary Board or the Complaints Board may be submitted by way of exclusive appeal to an appeals board within 30 days after the determination. The appeals board (**Appeals Board**) shall be composed of three independent persons.
- e. Thereafter, an appeal shall lie to the Court of Arbitration for Sports (**CAS**). CAS will resolve the dispute definitively in accordance with its Code of Sports Related Arbitration. The time limit for an appeal to CAS shall be 30 days from the date of the appealed decision being referred to CAS.

## 11. General Meetings

- 11.1 The MPC shall have one General Meeting every year, which shall be known as the Annual General Meeting (**AGM**). Other General Meetings of the MPC shall be known as Extraordinary General Meetings (**EGM**). References in this statute to a “general meeting” shall, unless otherwise specified, be construed as a reference to an AGM or EGM, as the case may be and as the context requires.

The AGM of the MPC shall be held prior to the end of the calendar year:

PROVIDED that the AGM shall in any case be held by not later than the applicable statutory deadline applicable under Subsidiary Legislation 492.02 (Voluntary Organisations (Annual Returns and Annual Accounts) Regulations issued under the Voluntary Organisations Act (Chapter 492 of the laws of Malta), as set out below:

### Category 1:

If the gross income of the MPC is less than 50,000 Euro, the AGM must be held by not later than **90 days** from the end of the respective financial year.

### **Category 2:**

If the gross income of the MPC is more than 50,000 Euro but less than 250,000 Euro, the AGM must be held by not later than **180 days** from the end of the respective financial year.

### **Category 3:**

If the gross income of the MPC is above 250,000 Euro, the AGM must be held by not later than **240 days** from the end of the respective financial year.

PROVIDED FURTHER that is the statutory deadline established under the applicable legislation is amended, the AGM of the MPC shall be held in accordance with such statutory deadline as amended.

In any case, unless special circumstances are present, not more than 15 months shall elapse between one AGM and the next AGM.

- 11.2 Extraordinary General Meetings may be convened by the Executive Committee at any time upon a written request signed by not less than fifty per cent (50%) plus one (1) of the registered, paid-up Members indicating the agenda of the meeting. No item other than that specified in the agenda of such Extraordinary General Meeting may be discussed or decided at such meeting.
- 11.2 At least one (1) month's notice in writing of all such general meetings shall be sent to the Members of the MPC and any external accountant or auditor (as applicable) for the time being of the MPC. A notice is considered to be sent either through the normal course of post or by email. The non-receipt of notice of a meeting by, or the accidental omission to give notice to, any person entitled to receive notice shall not invalidate the proceedings at that meeting. A member present at any general meeting shall be deemed to have received notice of the meeting and the purpose for which it was called.

The notice shall include the date, time and place of the meeting, agenda and any such information as decided by the Executive Committee, including the forms for nominations to fill the official posts at elective AGMS, and an invitation to submit motions for alterations/amendments to the Statute.

General meetings may be held in person, by video (where members entitled to be present, speak and vote thereat shall be provided with the necessary electronic means to exercise such speaking and voting rights) or by hybrid means. For this purpose, the Executive Committee may make whatever arrangements they consider appropriate to enable such exercise.

- 11.4 Nominations for the election of members of the Executive Committee shall be communicated in writing to the Secretary General of the MPC at least thirty (30) calendar days before the elective AGM.

Subject to satisfying the Eligibility Criteria below, each nomination is to be accompanied by:



- (i) a brief statement outlining nominee's motivations and key objectives for the upcoming term (normally 100-200 words);
- (ii) a copy of his/her clean police conduct certificate;
- (iii) a brief biographical profile/curriculum vitae and/or reference letter.

signed and recommended by the President or Secretary General of any MPC Member and seconded by at least one other MPC Member.

A nomination may only be made if the nominee satisfies the following **Eligibility Criteria** (and the nomination form shall include a declaration to this effect):

- a. holds a clean police record and has not been charged, disciplined, fined or convicted, or subject to ongoing legal proceedings or disciplinary proceedings in respect of an offence or criminal offence (including without limitation, any offence relating to minor children, abuse or harassment, domestic violence, perjury, theft, misappropriation, money laundering, bribery, corruption, or serious damage to property or grave bodily harm, but excluding misdemeanours for minor traffic offences), under the laws of Malta or any other jurisdiction;
- b. has not been expelled, suspended, sanctioned, subject to disciplinary proceedings or otherwise had his/her membership rights or privileges terminated by sports bodies such as the IPC, AIMS, Maltese Olympic Committee, CAS, International Sports Federations or Organisations, Sport Malta, National Sports Associations or Federations, and/or other competent sports bodies or organisations;
- c. is over 18 years and less than 65 years of age at the time of the election;
- d. does not hold the position of a magistrate or judge in accordance with the laws of Malta;
- e. is not a member of Parliament or member of Cabinet;
- f. does not hold an executive position with any political party, political movement and/or trade union;
- g. has not been adjudged or otherwise declared bankrupt under any law;
- h. has not been interdicted or incapacitated for any mental infirmity or for prodigality or has otherwise been determined to be of unsound mind; and
- i. does not have a financial or other significant interest in any enterprise or activity which is likely to affect or impede the discharge of his/her functions and duties with MPC, where such interest cannot be effectively mitigated or managed.

11.5 Unless special circumstances require otherwise, normally there can be no more than up to two (2) representative candidate(s) from any affiliated Full Member or Associated Member who can be elected to the Executive Committee of MPC.

11.6 The President and Secretary General of the MPC shall relinquish their post as President, Secretary General or Treasurer of any affiliated Association/Federation/Sports Union, if they hold such posts on being elected as officers of the Executive Committee of MPC.

- 11.7 All nominations received shall be circulated to Full Members with voting rights at least ten (10) calendar days prior to the AGM.
- 11.8 Amendments to the statute may be proposed by the Executive Committee or by Full Members with voting rights. Submissions for motions to alter the Statute shall be communicated in writing to the Secretary General of the MPC at least thirty (30) calendar days before the AGM. All motions will be circulated by MPC to Full Members at least one week prior to the AGM. Amendments to the MPC statute shall require a vote of two-thirds (2/3) of the Members present. Such amendments must be submitted to the IPC for approval and the most recent version of the statute (in English language) shall always be provided to the IPC. The statute shall be signed by at least three (3) members of the Executive Committee of the MPC, including, as a minimum, the President and Secretary General of the MPC.
- 11.9 The Agenda of the AGM should normally include:
- a. Registration of members present.
  - b. Roll Call
  - c. Introduction by President, MPC
  - d. Approval of Minutes of the previous AGM
  - e. Approval of Administrative Report
  - f. Approval of Audited Financial Statements
  - g. Election of the Executive Committee members
  - h. Appointment of Auditor (where required under applicable law)
  - i. Amendments to the Statute
  - j. Motions
  - k. Other Matters
- 11.10 The AGM should commence at the advised time in the notice convening the AGM but if there is no quorum i.e. fifty per cent (50%) plus one (1) of the registered, paid-up Members, then the AGM should be postponed until a quorum is reached but if no such quorum is reached within fifteen (15) minutes from the original notified time, then the meeting will commence with the Members present, who shall constitute a quorum.
- 11.11 In the first AGM of the MPC, which will be referred to as the first Elective General Meeting, the Full Members with voting rights of the MPC will elect the first Executive Committee, as stipulated in Article 13.2. Every other Elective General Meeting will be held in the calendar year immediately following the Summer Paralympic Games (every 4 years, i.e. a full Paralympic Period).
- 11.12 A copy of the minutes (written in the English language), containing information relating to changes to the composition of the Executive Committee and the official contact details, must be sent to the Membership Department of the IPC as soon as they occur, and shall be made available upon request by the IPC. In addition, the MPC shall inform the IPC, in writing, if at any

time it no longer satisfies, or will likely be unable to satisfy, any requirements of the IPC Constitution.

- 11.13 Any requirement in this statute to “give notice” or to “circulate” a notice or other document may be satisfied by way of circulation by post, by e-mail or by publication on the official website of MPC (provided that where circulation is made by way of publication on the website, the recipients shall be notified, by email, of such publication and the publication shall be readily accessible (i.e., against no charge) and maintained for the duration of the relevant notice period).

## **12. Voting Powers at General Meetings**

At General Meetings, all affiliated and paid-up Full Members with voting rights shall be entitled to vote. Each Full Member may be represented by not more than two delegates at General Meetings but each Full Member is allowed only one vote.

Unless otherwise specified in this Statute, all votes shall be determined by simple majority (50% plus 1) of the voting Members present.

## **13. The Executive Committee**

- 13.1 The Executive Committee is the representative of the MPC membership and, as a minimum, includes the following elected positions:

- a. One (1) President
- b. One (1) Secretary General
- c. One (1) Treasurer
- d. Four (4) Members at large (one or more of whom will take on the role(s) of Vice-President, Integrity Officer and Public Relations Officer)
- e. One (1) Athlete Representative (elected by the Athletes Council)

- 13.2 The Executive Committee shall consist of a minimum of eight (8) members (i.e. those listed in 13.1 above) and a maximum of ten (10) members (subject to the proviso below), of which one-fifth (1/5) must be of different gender. All reasonable efforts will be used to ensure that at least one (1) member shall also have an impairment.

For the avoidance of doubt, the one-fifth (1/5) different gender requirement and the efforts to ensure one member has an impairment may be satisfied by means of a co-option of gender or impairment representative candidates, which co-option may be exercised by the Executive Committee, and which shall be subject to the approval of the AGM and provided further that the maximum of ten (10) members shall be increased pro-rata to cater for the number of gender representative and/or impairment candidates so co-opted. The co-opted Executive Member shall remain in office until the next AGM and will be eligible for subsequent co-option(s).

At the Elective General Meetings referred to in Article 11.11, the Executive Committee members shall be elected for a period of four (4) years starting from the day of the relevant Elective AGM, except for the members elected at the first Elective General Meeting, who shall hold office until the calendar year immediately following the upcoming Summer Paralympic Games (i.e., up to the Tokyo 2020 Paralympic Games).

Unless special circumstances require otherwise, the Executive Committee members shall normally have the possibility of being re-elected for additional term(s) of office for a maximum of two (2) times, whether consecutively or otherwise. If an individual is elected to the Executive Committee in a different capacity, that individual shall be entitled to remain in office, if re-elected, for three (3) terms.

- 13.3 Nominees for the posts of the Executive Committee have to be nominated and seconded as prescribed in Article 11.

Candidates who have been validly nominated shall be declared elected for the positions in the Executive Committee listed in Article 13.1(a)-(d) if they obtain more than 50% of the votes validly cast at the elective general meeting.

If there are more than two candidates for any such position, and none of them obtains more than 55% of the votes validly cast in the first round, there shall be a second round between the two candidates who obtained the highest number of votes validly cast in the first round. In the second round, the candidate who obtains a simple majority of the votes validly cast shall be declared elected. In the event of a tie in the second round, a further ballot will be held between the candidates concerned until one of the candidates obtains a simple majority of the votes cast.

- 13.4 The elected candidates must signify their acceptance in writing, together with a declaration that they intend to attend at least seventy five per cent (75%) of the meetings of the Executive Committee.
- 13.5 The legal and judicial representation of the MPC shall be vested jointly with the President and the Secretary General. The President and the Secretary General shall each be entitled to delegate the representation of the MPC to other members of the Executive Committee, provided that such delegation shall be made in writing, is notified to the Executive Committee in writing, and limited to the matters, and/or for the duration, specified in such written notice. The Executive Committee shall be entitled to appoint officials, directors, administrators, and/or sub-committees responsible for the performance of specific duties or functions of the MPC from time to time.
- 13.6 The MPC may open and maintain bank account(s) in the name of MPC (**MPC Bank Account(s)**). The MPC Bank Account(s) shall be used exclusively for matters related to the

activities and operations of MPC and the signatories shall be the Treasurer, jointly with either the President or the Secretary General.

13.7 The Executive Committee shall include an Athletes' Representative as an ex-officio position with voting and speaking rights. Such position shall be granted to the Chairperson of the Para Athletes' Council. In the event that the MPC does not have a formed Para Athletes' Council, the existing Para athletes affiliated with any MPC Member must nominate a Para athlete and vote for the Athlete Representative.

#### **14. Responsibilities of the Executive Committee**

14.1 The Executive Committee shall have the full power of authority to represent the MPC. In exercising this authority, responsibilities of the Executive Committee shall include:

- a. To ensure effective governance, operation and funding of the Organisation;
- b. To interpret the vision set by the Members at the AGM;
- c. To approve the MPC policies;
- d. To ensure that the directions set by the Members at the AGM are implemented;
- e. To decide the MPC's budget, subject to the approval during the AGM;
- f. To appoint a certified auditor or accountant;
- g. To determine, implement, and interpret the bylaws, codes, rules, and regulations of the MPC; and
- h. To decide on the participation at the Paralympic Games and other competitions or events within its remit, including major competitions such as the European championships, World championships, and the Commonwealth Games by selecting the sports, Para athletes and officials/delegated to be involved.

#### **14.2 Specific duties of the President:**

The President shall be the Head of the MPC and will assume the general representation of the Organisation in local and international spheres. The President will be responsible to call and chair all meetings of the MPC. In the absence of the President, provided a quorum is available, the Executive Committee will have the power to appoint a substitute, with precedence being given to the Secretary General, followed by the Treasurer, to conduct the meetings.

The President will also be responsible along with the Secretary General for the raising of the agenda for all meetings, the general monitoring and compliance with the provisions of this Statute and MPC bylaws, rules, regulations and policies made from time to time.

#### **14.3 Specific duties of the Secretary General:**

Together with the President, the Secretary General is responsible for the raising of the agenda for all meetings, the general monitoring and compliance with the provisions of this Statute and MPC bylaws, rules, regulations and policies made from time to time.

The Secretary General is responsible for the keeping of minutes of all meetings, dealing with correspondences and keeping data records of Members and activities organised by the said Members. He/she is also responsible for the ordinary running of the administration and secretariat of the MPC, the preparation of the Minutes and Administration report to be presented during the AGM and maintaining of relations with Members.

Where the President and any Vice-President are unable to fulfil the duties of the President, the Secretary General shall replace the President (limitedly for such duration of inability) and is vested with the President's powers.

#### 14.4 Specific duties of the Treasurer:

The Treasurer will be responsible for all monies and property belonging to the MPC. He/she will be responsible to collect monies due to be receivable by the MPC and ensuring that payments are made with the approval of the President and/or Secretary General, or such other members of the Executive Committee delegated with responsibility for authorising payments. The Treasurer shall have regard to any payment authorisation matrix/thresholds as may be established by the Executive Committee from time to time.

The Treasurer is responsible for the preparation of the MPC's accounting records, budget and financial statements. The financial statements are to be audited by a certified independent auditor or verified by an external independent accountant (as the case may be, in accordance with applicable requirements at law) and, in each case, ratified at the AGM.

### 15. Filling of Vacancies

15.1 A vacancy on the Executive Committee shall arise if a member of the Executive Committee:

- (i) becomes or is adjudged bankrupt;
- (ii) is found to be or becomes of unsound mind or becomes incapable by reason of mental disorder, illness or injury of managing and administering his/her own affairs;
- (iii) by notice in writing to the Executive Committee resigns from his/her office;
- (iv) has for more than six (6) consecutive months been absent and has not fulfilled his/her ordinary duties and functions with MPC without permission of the Executive Committee and the Executive Committee resolves that such individual should cease to be a member of the Executive Committee;
- (v) the scenario described in clause 17.5;
- (vi) any one of the Eligibility Criteria is no longer satisfied; or
- (vii) in the case of the Athletes' Representative, such representative is no longer the Chairperson of the Para Athletes' Council, or has been charged, convicted or otherwise subject to disciplinary measures in relating to anti-doping offences or other offences under applicable laws.

- 15.2 In the event that one or more of the elected positions of the Executive Committee become vacant, or in exceptional circumstances (including that the minimum gender representation is not satisfied), the Executive Committee shall have the right to appoint a full voting member to the Executive Committee. Such vacancy shall normally be filled within 4 months from the date that the Executive Committee acknowledges a resignation or other reason creating such vacancy and the appointment must be ratified by the Members having voting rights at the next AGM following such appointment.

## **16. External Advisors or Non-Executive Directors**

The Executive Committee is authorised to appoint independent individuals to serve as External Advisors or Non-Executive Directors on the Executive Committee, having appropriate experience, expertise or skills that are beneficial to the MPC and the fulfilment of its mission statement and objectives. Any appointed External Advisor or Non-Executive Directors shall serve the MPC with the aim of supporting it in its role and improving the welfare, conditions, governance and organisational capacity of both its Members and the Organisation itself. The External Advisors and Non-Executive Directors may attend meetings of the Executive Committee and contribute to the work carried out by the Executive Committee, however do not have voting rights at such meetings.

## **17. Executive Committee Meetings**

- 17.1 The Executive Committee shall meet for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. The Executive Committee shall meet at least once every quarter, and a meeting may be summoned by the President or the Secretary General, or at the request of any two members of the Executive Committee.
- 17.2 The quorum necessary for the transaction of the business of the Executive Committee shall be fifty per cent (50%) plus one (1) of the number of members of the Executive Committee provided that if no quorum is present within fifteen (15) minutes from the time appointed for the meeting, provided three (3) members are present, the meeting shall proceed accordingly. The meetings shall be chaired by the President or, in his/her absence, by the Secretary General or such other member of the Executive Committee nominated by the member present to chair the meeting.
- 17.3 A member of the Executive Committee shall be deemed to be present at a meeting of the Executive Committee if he participates by telephone or other electronic means and all members of the Executive Committee participating in the meeting are able to hear each other. If any member of the Executive Committee participates by telephone or other electronic means, the minutes of the meeting shall be signed by the Secretary General as well as the member of the Executive Committee who was participating remotely.
- 17.4 Matters decided at any meeting of the Executive Committee shall be decided by a simple majority of votes. Each member of the Executive Committee shall have one (1) vote and in case of an equality of votes, the President shall have a casting vote.

- 17.5 Members of the Executive Committee failing to attend three (3) consecutive meetings without justifiable and reasonable causes shall normally be considered as not in good standing and such individual shall be deemed to have resigned with effect from the ratification of such deemed resignation at the next meeting of the Executive Committee.
- 17.5 A resolution in writing, signed by all the members of the Executive Committee shall be deemed as valid and effective as if it had been passed at a meeting of the Executive Committee duly convened and held. Provided that a resolution in writing shall only be valid and effective if it is signed by all the members of the Executive Committee and if it states clearly the date when each of the members of the Executive Committee enter their signature on the resolution in writing. Any contracts, notices, or other documents signed by duly authorised members of the Executive Committee of MPC may be signed by electronic means.
- 17.6 All MPC Executive Committee members must declare in writing to the other members of the Executive Committee any interest that they, or individuals related to them, have that might conflict with the performance of their duties and functions within MPC. The declaration must be made as soon as practicable from becoming aware of the actual or potential conflict of interest (and shall be kept updated if circumstances change) and the following policy shall apply:
- a. A conflict of interest may include all other sport-related roles, such as (i) positions with business relationships with and/or engagements by other national or international sports federations, associations or bodies, (ii) involvements with sponsors or partners, (iii) any sport-related appointment or appointment with a government body or authority; (iv) personal or family relations with a current or former Para athlete; and
  - b. Where the Executive Committee is discussing a matter on which a member is conflicted (the **Conflicted Member**), the Conflicted Member will be permitted to submit his/her views but may be requested to temporarily leave the meeting to allow the non-conflicted members to discuss the matter. In such cases, the Conflicted Member will not be permitted to vote on the matter and the matter shall be determined by the majority vote of the present members who are not conflicted.

## 18. Finance

- 18.1 Membership fees are those proposed and approved at the General Meeting. The Secretary General shall keep proper records of membership of the MPC.

Monies received are to be duly receipted. All accounts are to be kept in accordance with standard accounting practices by the Treasurer.

- 18.2 Claims for payment shall be approved by the Executive Committee; if it is necessary to make a payment before it is authorised, such payment shall be certified as to its correctness and urgency by the President or, in his/her absence, the Secretary General. For good governance



purposes, the Executive Committee shall ensure that the member of the Executive Committee nominated to process payment instructions with MPC's bank shall be separate to the executive member approving the payments.

- 18.3 All sums collected shall be paid into the MPC Bank Account(s) but, in exceptionally, the Executive Committee may decide to keep a cash float of a specified amount for petty expenses. Cheques shall be signed as indicated in Article 13.6 of the Statute.
- 18.4 All income and property of MPC shall be applied solely towards the attainment and implementation of the objectives of the MPC as set forth in this Statute. Members of the Executive Committee may be reimbursed by MPC for justifiable and reasonable out-of-pocket expenses properly incurred in the carrying out of their official duties and functions on behalf of MPC.
- 18.5 The MPC may purchase and maintain insurance policies, at the expense of MPC, for the benefit of MPC and members of the Executive Committee or other duly appointed, nominated or delegated officials or representatives of the MPC (together, **MPC Personnel**) in respect of any relevant loss. For this purpose, a "relevant loss" means any expense, cost, damage, loss or liability which has been or may be incurred or suffered by MPC or by any MPC Personnel in connection with that personnel's duties, functions or powers in relation to MPC.
- 18.6 The Financial year of the MPC shall, unless otherwise determined by the Executive Committee, commence on 1<sup>st</sup> January and end on 31<sup>st</sup> December of each year. The Treasurer shall finalise the accounts of the MPC within the statutory deadline prescribed by applicable Maltese law and these are to be presented to the AGM.

## 19. Dissolution

- 19.1 Dissolution may occur by decision of an Extraordinary General Meeting (after consultation and coordination with the IPC), called specifically for this purpose or automatically upon termination by the IPC by recommendation of the IPC General Assembly.
- 19.2 If at any time the MPC shall pass in General Meeting by a majority comprising two-thirds (2/3) of all the registered Members present and entitled to vote, a resolution of its intention to dissolve, the Executive 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 MPC shall for all purposes be dissolved.
- 19.3 In the event of dissolution of the MPC, any remaining funds and/or property shall be donated to a voluntary non-profit making organisation or a charitable institution selected and approved at the General Meeting.



## 20. Interpretation

Where reference in this statute is made to an individual being “*independent*”, the following rules of interpretation will (unless special circumstances require otherwise) normally apply: (i) an individual may be independent even if they are a member of a Member or are otherwise involved in sport, but (ii) an individual shall be deemed to have a “close connection” and not satisfy independence requirement where the individual: (a) is, or has within the past four years, been actively involved in MPC’s affairs or administration; or (b) has close family, business or other personal ties or relations with the members of the Executive Committee or of active Para athletes (including athletes who are likely to participate at the next Paralympic Games or other major competitions).



**Signed by:**

A handwritten signature in blue ink, appearing to read "Joseph-Noel Grima Delia".

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Name: Prof. Joseph-Noel Grima Delia  
President

A handwritten signature in blue ink, appearing to read "Julian Bajada".

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Name: DR JULIAN BAJADA  
Secretary General

A handwritten signature in blue ink, appearing to read "Vladyslava Kravchenko".

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Name: VLADYSLAVA KRAVCHENKO  
Treasurer

The Malta Paralympic Committee was established on **6<sup>th</sup> July 2018**.

**This statute was amended and approved the Annual General Meeting held on 6 June 2024.**



## Annex 1 - MPC Emblem



**MALTA  
PARALYMPIC  
COMMITTEE**

