

**Consumers' Association
Malta**

Statute

March 2001

SECTION 1 - NAME

1. The official name of the association in the two official languages Maltese and English is “GHAQDA TAL~KONSUMATURI - MALTA’ and “CONSUMERS’ ASSOCIATION - MALTA” respectively
2. The association is referred to in this statute as the “Association”
3. The Association is not allowed to affiliate itself to any political party

SECTION II - OBJECTIVES

1. The main objective of the Association shall be to safeguard the interests of the consumers in all aspects. The Association should use all its resources to achieve this aim particularly through the following
 - a) Legislation beneficial to the consumers. The Associations shall act as a pressure group and see that legislation is implemented in an active and effective way
 - b) Empowering consumers to have access to the necessary information to enable them to make a fair choice
 - c) Protection of consumers from dangerous products, services and methods of production which may be supplied both by the public and the private sector,
 - d) Representing consumers in the preparation, formulation and execution of economic policies which affect their interests
 - e) Ensuring that consumers are given adequate redress and compensation for injury and damages suffered as a result of defective products and services
 - f) Ensuring that consumers are offered quality services, that their environment is protected to safeguard a better society that products are safe and adequate standards are adopted.
 - g) Seeing that decisions and criteria used by the respective authorities to protect consumers should be made public
 - h) Ensuring that the consumers are represented through registered consumer associations.
 - i) Consumers should have free legal aid
 - j) Ensuring that unjust and deceitful market practices which create artificial demand are curbed,
 - k) Seeing that standards which regulate advertising are established,
 - l) Work for the establishment of co-operatives

SECTION III - MEMBERSHIP

1. All those who are 16 years or older are eligible to join as members.
2. A businessman may join as a member on personal basis. Such application may not be accepted and membership may be revoked by Council if it results that such a situation may result in the rights of other consumers being negated,
3. New members become eligible to vote six months after their application is accepted. Then they will become also eligible to contest elections as long as they are paid members to the date of

the General Conference

SECTION IV - MEMBERSHIP FEE

1. The membership fee shall apply from the date of application and should be renewed yearly according to the date of joining
2. The Council shall establish the membership fee

SECTION V - THE GENERAL CONFERENCE

1. The general conference is the highest authority of the association. All paid up members are eligible to attend and vote (see Section III Article 1).
2. The general conference shall meet annually and, in any case, not later than three months after the financial year ends.
3. The quorum shall be 50% plus another member of those eligible to vote. If by the time at which the Conference should have started there is no quorum, the Conference should convene within half an hour with the members then present
4. The Agenda of the General Conference shall be as follows:

Appointment of a Chairman
Minutes
Administrative Report
Financial Report
The President's address
Election of the new Council
Appointment of Auditors
Amendments to the Statute
Motions

5. Council may convene an Extra-ordinary General Conference. However, such a meeting may also be convened after 60% of the paid up members request such action. Such a call must be signed by the members requesting an extraordinary ordinary General Conference and should be accompanied by such details: full name of the member and ID number The reason for calling for such a meeting should be stated in the petition.
6. The members should be notified of the agenda of a General Conference or an Extraordinary one at least fifteen days before the date of the Conference

SECTION VI - COUNCIL

1. The Council shall be made up of the President, the Secretary General, the Financial Secretary and eight other members

2. Council shall meet as need arises and not later than three weeks after the General Conference
3. Council may set up committees, commissions, sub-committees and engage individuals for specific jobs. Each committee should be presided by a Council member
4. The Council is there to implement the Association's objectives. Thus the principal function of Council is to set policy and draw up a works programme which is implemented by the other structures of the Association.
5. The Council's agenda must be distributed at least 5 days before each meeting.
6. Council is obliged to call the Annual General Conference and also other Extraordinary Conferences. It has the power to delegate to the President and the Secretary General and any other person the authority to enter into a contract on behalf of the Association.
7. Council has the right to establish any contact with other organizations. It is also empowered to affiliate the Association with any other organization, both local and international, which promotes the interests of the consumers
8. Members of Council who absent themselves for three consecutive Council meetings without a valid reason will be considered as having resigned their post as Council member. Council has the right to co-opt a member if a vacancy arises and to appoint an official from amongst Council members if such a vacancy arises.
9. Co-opted members have no voting right at meetings.
10. The quorum for a Council meeting is six members. If a quorum is not attained, the meeting will commence with the members present.
11. Council has the right to adopt any procedure it seems fit to run its meetings.
12. Every member has the right to demand a secret vote.

SECTION VIII - The Executive

1. The Executive is made up of all the officials
2. The Executive must meet at least once a month
3. The Executive has the right to adopt any procedure it considers appropriate in the circumstances
4. The Executive's responsibilities include:
 - a) the general administration of the Association according to the policy set by Council;
 - b) the supervision of the execution of policies set by Council;

- c) develop proposals to Council for a more effective running of the Association
5. Only the Executive has the right to organize fund raising.
6. Anybody doing fund raising must have the authorization of the Executive.
7. The Secretary General shall inform Council of the Executive work.
8. The Executive has the right to authorize expenditure not exceeding Lm 100.
9. The Executive has the right to take any urgent decision after all the three officials have been contacted.
10. Any decision taken as per subsection 9 above, must be documented at the first meeting of the Executive.

SECTION VIII - NOMINATIONS

1. Members shall be notified of the call for nominations for officials and members of Council together with the Agenda of the Annual General Conference at least fifteen days before the General Conference meets.
2. All nominations shall be addressed to the Secretary General at least one week before the General Conference.
3. All nominations, amendments to the Statute and any Motion presented shall be accompanied by the name, surname, identity number, the telephone number and the signature of the respective contestant, the proponent and the person seconding.
4. Elections for Council shall be by secret vote.
5. A nomination is not accepted if the member is not fully paid.

SECTION IX - POWERS AND RESPONSIBILITIES

1. The President shall preside both Council and Executive meetings. The Secretary General shall fill in for the President.
2. The President and the Secretary General together shall be the official and legal representatives of the Association.
3. The President decides whether or not a member of the Council shall examine any document.

4. The Secretary General is responsible for the general running of the Association's office.
5. The Secretary General has the power to see all correspondence

SECTION X - FINANCE

1. The financial year of the Association ends on 31st December.
2. The Financial Secretary is responsible for the running of finances. The auditors have the right to examine all financial documents.
3. Every Council member has the right to examine the financial documents as long as the Financial Secretary is informed three days in advance.
4. The financial aspect of all activities is the responsibility of the Financial Secretary.
5. The Financial Secretary shall keep an inventory of all items.
6. Any debt incurred by one of the officials or any Association member on behalf of the Association without seeking Council's approval is considered a personal debt incurred by the member in question.
7. Each official is not allowed to spend more than Lm50 without the prior approval of the Financial Secretary.

SECTION XI - GENERAL PROVISIONS

1. The Council is solely responsible for any interpretation of this Statute.
2. Council shall decide all other matters that are not dealt with by the statute.

SECTION XII - WINDING UP OF THE ASSOCIATION

1. The Association can only be winded up by a decision of an Extra-ordinary General Conference called solely for this purpose Such a decision must be supported by at least 75% of the fully paid members (see Section III, Article 3) who vote. This Extra-ordinary General Conference should decide about the Assets and documents of the Association
 2. The Extra-ordinary General Conference should appoint a liquidator.
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