STATUTE OF THE *ASSOĊJAZZJONI MALTIJA GĦALL-ISTUDJI TAD-DRITT EWROPEW* [AMSDE]

Name

1 By the present is established the Assoċjazzjoni Maltija għall-Istudji tad-Dritt Ewropew (AMSDE).

Nature

2 The AMSDE is a non-profit, non-political association of indefinite duration.

Objects

3 The objects of AMSDE are:-

(i) To promote and encourage the study of all aspects of the law and institutions of the European Union and the relationship of that law with national law and the dissemination of knowledge concerning the same.

(ii) To promote international collaborative studies in the field of European law.

(iii) To provide a forum in which all branches of the Maltese legal profession can engage in a discussion of the legal issues raised by Malta's membership of the European Union.

(iv) In pursuit of the above, to work in collaboration with, and as a complement to other organisations, bodies and associations having similar aims.

Powers

4 In pursuit of the objects stated in Article 3, the Association may:

(i) Be affiliated with other national and international associations, in particular with the Fédération Internationale pour le Droit Européen (FIDE);

(ii) Hold or establish or participate in holding or establishing meetings, conferences and study groups as well as publish papers and books and invite guest speakers;

(iii) Facilitate the participation by members and others in meetings, conferences and study groups;

(iv) Carry out or arrange for the carrying out of research;

(v) Receive, administer, invest and expend donations, subscriptions, fees, grants, funds and other monies;

(vi) Carry out any other activities as may be deemed incidental or conducive to the attainment of its objects.

Membership

5 The Association's membership shall be open to academic members of the Faculty of Laws of the University of Malta, members of the Maltese Judiciary and members of the Maltese legal professions and holders of any degree in law obtained from the University of Malta or holders of any degree in law obtained from outside Malta resident in Malta and such other persons, bodies or institutions as on the recommendation of the Committee of Management of the Association the members in General Meeting may consider to be in the interests of the Association to admit to membership of the Association.

The Association shall be composed of founder members, ordinary members and honorary members.

The founder members are those who participated in the formation of the association and whose names appear below (Appendix: Founder Members).

Ordinary membership is open to all persons eligible as aforesaid who subscribe to and undertake to further the objects of the Association. Any person desiring to become an Ordinary Member of the Association shall apply to the Secretary-General in a form prescribed by the Committee and shall tender his/her first annual subscription and his name and address therewith. In considering the application, the Committee may decline to admit any person to membership in its discretion, giving reasons for its decision. A member shall cease to be a member:

(a) If he resigns by notice in writing given to the Secretary-General of the Association;

(b) If for six months he fails or neglects to pay any subscription due by him to the Association and the Committee of Management resolves that for that reason he shall cease to be a member;

The Committee of Management shall determine the annual membership fee that shall be due and payable in advance on the 1st day of October each year in respect of the year commencing on that day. However, it is hereby established that the first membership fee shall be €30 and shall cover the period from the date of the establishment of the association until 30th September 2011.

The Committee of Management may designate as an honorary member any person whose contribution to European law or to the Association is deemed to have been of outstanding merit. There shall be no membership fee for honorary members.

Assets/Property

6 The Association shall finance its activities by:

(a) Membership fees;

(b) Public and private contributions;

(c) Any eventual revenue from publications, events and other activities of the Association.

Administration

7 The organs of the Association are:

(a) The General Meeting of Members

(b) The Committee of Management

(c) The President

(d) The Vice-President/s

(e) The Secretary-General

(f) The Treasurer

The General Meeting, acting on a proposal from the Committee of Management, may create and elect auxiliary bodies.

The General Meeting

8 (1) The General Meeting consists of the Members of Association. Every member has one vote. Voting by proxy is not permitted.

(2) A General Meeting shall be convened by the Committee of Management at least once annually in November. The Committee shall convene a General Meeting when called upon to do so by the request in writing of at least one-fifth of the members of the Association.

(3) Notice of a General Meeting must be given in writing to all members not later than seven days before the meeting.

(4) A quorum is half the members, but in case this is not achieved the meeting shall be postponed by one hour with the same agenda. The meeting shall then be valid regardless of the number of members present.

(5) Voting in General Meeting shall be by simple majority vote, except that this statute may be varied by the votes of two-thirds of the members as a whole, provided that any variation of the Statute may not cause the Association to cease to be a non-profit, non-political association.

(6) The General Meeting shall elect the Committee of Management, the President and the other officers of the Association and fulfil such other functions as may be determined in this statute. However, the first officers shall be designated by the founder members and shall serve until the first General Meeting that shall be held at the end of November 2010. Thereafter, the following provisions shall apply.

The Committee of Management

9 (1) The Committee of Management shall consist of between seven and ten members of the Association, elected for a renewable period of three years by majority vote in General Meeting and from among whose members the President, Vice-President/s and other officers shall be chosen.

(2) The General Meeting will likewise elect the President of the Association, whose function it will be to act as Chairman of the Committee of Management. The Committee of Management will elect the remaining officers from among its members. At the discretion of the Committee, the offices of Secretary-General and Treasurer may be separated and held by two different members of the Committee of Management.

(3) The Committee of Management shall meet three times a year and whenever convened by the President or at the request of three members of the Committee. It shall recommend a membership fee to the General Meeting for approval. The Management Committee may invite any member of the association to be present for the discussion of any item on the agenda of a Committee meeting.

(4) Voting is by majority. The President shall have a casting vote in case of a tie. The quorum is a majority, but if a quorum is not present half an hour after the notified time, the meeting will be held by the members present.

(5) The Committee of Management shall organise and conduct the activities of the Association in pursuit of its objects and aims.

(6) The Committee of Management is answerable to the General Meeting whose task is to set out general policy for the association.

The Secretary-General/Treasurer

10 The Secretary-General/Treasurer will ensure the proper administration of the Association. He/she is responsible for implementing decisions of the Committee of Management and representing the Association in dealings with third parties. The President or Committee of Management may delegate certain specified functions to him/her. He/she shall report annually to the General Meeting on the administration and finances of the Association.

Dissolution

11 The Association may be wound up by resolution passed by two-thirds of the membership in General Meeting. In case of dissolution of the Association for any reason, any surplus assets shall be distributed in accordance with the objects of the association. There shall in no circumstances be any return of capital to or reimbursement of the members.

APPENDIX

FOUNDER MEMBERS

Professor Peter G Xuereb
Professor Eugène Buttigieg
Dr Ivan Sammut
Dr Cedric Mifsud
Dr Carla Camilleri
Professor Kevin Aquilina
Dr Andria Buhagiar
Dr Patrick Buhagiar
Dr Andrew Borg Cardona
Dr Patricia Cassar Torregiani
Dr Simone Borg
Dr Sylvann Aquilina Zahra
Dr Deborah Mangion
Dr Stefan Camilleri
Dr Reuben Balzan

16th March 2010
Faculty of Laws, University of Malta