

# STATUTE

*As read and approved at the EGM  
Held at the Association's HQ in Tigne' Point  
On 12<sup>th</sup> August 2024*



## ASSOCIATION OF MALTESE ARMS COLLECTORS & SHOOTERS (AMACS)

VO 0728 – SportMalta A130

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**CHAPTER ONE**

**THE ASSOCIATION**

1) NAME

1.1.1 The Association shall be called the Association of Maltese Arms Collectors & Shooters, hereinafter referred to as “AMACS” and shall be deemed to be constituted for all effects and purposes of Law.

2) CREST

1.2.1 The crest of the Association shall be of a design approved by the Committee.

3) REGISTERED ADDRESS

1.3.1 The Registered Address of the Association shall be AMACS, Unit One, First Floor, Clock Tower Block, Tigne’ Point, Sliema TP 01, Malta or at any other address in Malta, which may be determined from time to time by the Committee of the Association.

4) INTERPRETATION

1.4.1 The official text of this Statute is in English. This English version shall, in the case of dispute or otherwise referral to Association objects, rules, and any other issue contemplated within the Statute, be used for the basis of final interpretation.

1.4.2 In a similar way, the official version, in English, of the Association Rule Book and the Code of Ethics, being documents that support this Statute, shall be considered as the only referral in case of dispute.

1.4.3 Where the Statute is referred to, this shall be interpreted in such a way as to include the supporting Association Rule Book and Code of Ethics.

1.4.4 In any instance where the Rule Book and/or the Code of Ethics are or seem to be, in the opinion of the Association, in contradiction with the spirit of the Statute, the official interpretation of the latter shall be considered to be the basis for final interpretation. In such instances, the defaulting entries in the Rule Book/Code of Ethics shall be rendered temporarily ineffective by the Committee, until such time as these entries are amended and brought in line with the spirit of the Statute.

1.4.5 Where the male gender is referred to, this shall be interpreted in such a way as to include the female gender and vice versa.

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1.4.6 Where the singular is referred to, the plural shall also apply.

1.4.7 The terms 'member' and 'membership' refer to all individual Association members in line with the terms and conditions contemplated in (2.1.1 through 2.2.1) below.

1.4.8 The terms 'affiliate' and 'affiliation' refer to organisations, which are duly registered with the competent authorities in compliance with Maltese law and which are affiliated with the Association in line with the terms and conditions contemplated in (2.1.1 through 2.2.1) below.

## 5) SUPPORTING DOCUMENTS

1.5.1 This instrument is intended to serve as a general framework, governing the Association and the way with which it operates, internally and in its dealings with authorities, foreign and local organisations having similar interests, stakeholders and society in general.

1.5.2 For this reason, perusal of this Statute needs to be done in conjunction with that of the Association's two main supporting documents, namely the Association Rule Book and the Code of Ethics. The latter documents provide further, more detailed instruction and guidance as to the way with which the Association operates and the obligations of Officials and Members alike.

1.5.3 The Association Rule Book and the Code of Ethics are 'living' documents, in that new guidance, rules and regulations are added on by the Committee as the need arises. For this reason, person(s) perusing this Statute are strongly urged to obtain access to the latest versions of the two supporting documents as approved by the Committee.

1.5.4 Instances where the supporting Rule Book and Code of Ethics are in conflict with this Statute are covered in (1.4.4) above.

## 6) OBJECTS

The Objects for which the Association is established are:

1.6.1 To establish and maintain a non-political central body for persons or organizations whether in Malta or abroad, who qualify to be Members of the Association in terms of Chapter 2 below, and who, in a common endeavour to set ethical standards in the legitimate practice of the below-mentioned activities and diffuse such practice, are engaged in, concerned with and, or interested in three specific activities, namely:

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1. The study of the technical and historical aspects of arms and militaria and the collection, conservation and protection of such artefacts;
2. Historical re-enactment;
3. Target shooting sports.

1.6.2 To organise and promote activities in order to help the Members of the Association (hereafter referred to as “the members”) to develop their knowledge and skills in matters relating to the Objects of the Association, for their own personal benefit and cultural, technological, research and historical enrichment as well as that of the general public.

1.6.3 To promote the activities specified in 1.6.1 as represented within the Association, not only among Association members, but also among society in general.

1.6.4 To help raise the profile of the Association members, with the aim of having these contribute to the promotion of the activities specified in 1.6.1 as represented within the Association both locally and internationally.

1.6.5 To protect the legal interests of the members and to provide a forum for regular consultation between the same on matters of common interest. In this regard, it shall be the responsibility of the Association Committee to oversee that no member shall, in any way, jeopardise the interests of the Association and its membership in general. To this aim, the Committee is mandated to take disciplinary action as it may deem fit in instances where any such member(s) actions are deemed by the Committee to have been detrimental to the general well-being of the Association and its membership and/or are deemed to be in conflict with the objects of the Association.

1.6.6 To communicate with Government or other Public Authorities, constituted bodies or other such kindred bodies on all matters affecting the interests of the members, and to represent the interests of the members in negotiations with such Authorities or bodies.

1.6.7 To acquire, generate and diffuse knowledge related to the Objects of the Association.

1.6.8 To print, or publish newspapers, periodicals, pamphlets, brochures, and other such material, to include electronic media, for the spreading of information with respect to matters relating to the Objects of the Association.

1.6.9 To approve, subsequently maintain, and make available to all members a Code of Ethics intended to establish and enhance standards, as well as any other matter which the Association shall deem fit to include.

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1.6.10 To approve, subsequently maintain, and make available to all members an Association Rule Book that shall take the form of Standing Orders, wherein occurrences and subsequent actions are documented in the form of Association Standard Practices and Procedures.

1.6.11 It shall be an offence for the Committee to include guidance, rules and/or regulations in either the Association Rule Book or the Code of Ethics, if such entries are deemed to be in conflict with the prevailing Statute.

1.6.12 To co-operate with and/or become a member or associate of any Association or Federation, local or foreign, whose main objects are identical or similar to those of the Association.

1.6.13 To encourage the creation of discipline-related, focused clubs and to assist them in affiliating with the Association and achieving official sanction.

1.6.14 To raise funds by means of subscriptions from members and levies on members or otherwise, for all the purposes and Objects of the Association, in such amounts and in such manner as provided for in the rules.

1.6.15 To lend, borrow or raise, or secure the payment of money in such manner as the Association shall think fit, upon such terms or conditions as shall be deemed expedient.

1.6.16 To accept, undertake, or execute any trust or gift which may be deemed to be in accordance with, or which may further or benefit the Objects of the Association.

1.6.17 To construct, purchase, take on lease, or acquire under any other legal title, land or buildings as are necessary or convenient for the purposes of the Association, and to maintain and alter same according to necessity.

1.6.18 To do all such things as are incidental and/or conducive to the attainment of the Objects of the Association.

1.6.20 The Association is committed to gender equality and ensuring that all members, regardless of gender, are treated equitably. This policy mandates equal opportunities for all individuals in participation, representation, and leadership roles within the Association.

1.6.21 The Association strictly adheres to anti-doping regulations as per the World Anti-Doping Code and prohibits any form of doping or use of prohibited substances. Additionally, the Association maintains a zero-tolerance policy toward corruption and unethical practices, ensuring that all members uphold the highest standards of integrity and sportsmanship.

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1.6.22 The Association is committed to full compliance with all applicable anti-money laundering (AML) laws and regulations. As part of this commitment, the Association shall establish procedures to identify, report, and address suspicious financial activities. This includes maintaining accurate financial records, conducting regular financial audits, and ensuring that all Association funds are used solely for lawful purposes aligned with the Association's objectives.

1.6.23 Without prejudice to anything contained in any of the above clauses, it is hereby declared and established that the Association is non-profit making and for such purpose the distribution of any of the assets of the Association to its members shall be prohibited, except for the payments of bona fide salaries, wages or honorarium, to its administrators. This shall be applicable in all cases except those where the economic activity carried out by the Association shall be done as an ancillary activity for the purpose or in connection with assisting the Association to carry out its main objects and purposes in accordance with this statute.

## 7) APPOINTMENTS

1.7.1 All posts without exception, whether voluntary or remunerated, elected, appointed or recruited, full, part-time or piecemeal, temporary or otherwise, shall only be deemed to have become effective once the post holder formally accepts previously drawn up Terms of Reference that shall include, inter alia, a detailed job description, together with clear roles and responsibilities. The document shall also clearly indicate the expiry of the term of office, as applicable.

1.7.2 Such acceptance shall take the form of a document that is endorsed by the President or his/her delegate and the prospective post holder. An original of the acceptance document, duly signed, shall be retained for the Association's records.

## 8) MAINTENANCE OF RULE BOOK AND CODE OF ETHICS

1.8.1 The Committee is jointly responsible to ensure that the Rule Book and the Code of Ethics are maintained, updated, enhanced and amended as necessary.

1.8.2 Such modifications shall be discussed during Committee Meetings prior to being declared official.

1.8.3 Given the importance and sensitivity of both documents, it is necessary for a minimum of 70% of the Committee Members to approve such modifications for these to be considered as officially forming part of either the Rule Book or the Code of Ethics.

## **CHAPTER TWO**

### **MEMBERS**

#### 1) MEMBERSHIP

2.1.1 Membership shall be open to Individuals who are bona-fide enthusiasts of the activities stated in 1.6.1..

2.1.2 Such members shall join at least one affiliated club individually dedicated to the various disciplines represented by/ practised within the Association.

2.1.3 Membership shall also be open to legally constituted bodies which seek affiliation with the Association.

Provided that such persons:

2.1.4 Do not possess a serious criminal record and must, as proof of this, submit a recent copy of their Police Criminal Record.

2.1.5 Keep their firearms in conformity with the prevailing national laws and regulations of with Association rules and regulations, if these are more stringent.

2.1.6 Obtain their parents' or legal guardians' consent in writing if they are under eighteen (18) years of age.

2.1.7 Are of a minimum age as stipulated by the prevailing Laws of Malta in relation to firearm licencing and related issues.

2.1.8 Be of sound mental health and have no history of alcohol and/or drug abuse.

2.1.9 Are approved by Association officials delegated by the Committee.

Provided that such organisations:

2.1.10 Shall submit their request in writing and include a copy of the Statute.

2.1.11 The application shall be accompanied by proof of their registration with the OVCO. In the case of a sports organisation, proof of registration with AIMS shall also be required.



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2.1.12 The Committee may, at its own discretion, also consider organisations' requests for affiliation if these organisations present proof that they are in the process of applying for registration with the OVCO and AIMS.

## 2) PROPOSAL OF CANDIDATES

2.2.1 Applicants who have paid their appropriate fee and provided the necessary documents as requested by the Association shall be interviewed by a delegated Association official before being approved as a new Member. The first year of membership shall be on a probationary basis and may be terminated by means of a written notification in the event that the new Member is found to have breached any of the Association rules.

2.2.2 The procedure described in 2.2.1 above is based on the prevailing obligations as imposed by national legislation on the Association. It is the prerogative of the Committee to amend such a procedure through the issuance of directives and the inclusion of new procedure(s) in the Association Rule Book.

2.2.3 Such amendments may take place in order to ensure compliance with any changes in the national legislation or if, in general, the Committee opines that the situation prevailing merits such a change.

2.2.4 In making such amendments, the Committee may proceed under its own authority, without the need to resort to membership sanctioning.

2.2.5 Applications for membership by Individuals and/or organisations not resident in Malta shall be forwarded directly to the Committee who shall treat such applications on their own merit.

## 3) REJECTION OF CANDIDATES

2.3.1 The Committee shall have the power to accept or reject such applications without giving any reason for its decision. The applicant shall be informed of the Committee's decision through a formal letter.

## 4) GUESTS

2.4.1 Guests are allowed to enter the Association's premises as long as they are accompanied by a member who shall be responsible for their behaviour, and /or provided the Committee or its designate do not object to their presence.

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5) ANNUAL MEMBERSHIP FEES

2.5.1 Members shall pay an annual subscription fee that shall fall due upon entry and thereafter shall be payable in advance on the first January of each year.

2.5.2 Before a membership renewal is accepted, the Association may demand member(s) to furnish proof of (members') good conduct through the submission of a recent copy of the Police Good Conduct Certificate. Successful renewal is a process during which members must satisfy the criteria applied during initial candidature, as described in 2.1.4 through 2.1.9. (Membership conditions) above. Should the Committee decide that a particular membership should not be renewed, due to non-satisfaction of the said criteria or other factors which became apparent in the preceding term, the member in question shall be so informed and his/her membership shall be henceforth terminated.

2.5.3 A (full) member who has his/her renewal refused on grounds of non-satisfaction of clauses 2.1.4 through 2.1.9 above may, if he/she feels the decision is unjust, refer the case to the National Arbitration Centre (NAC) for resolution of the dispute.

2.5.4 Should a member make recourse to the NAC, he/she shall be considered as suspended from the Association until such time as the Centre resolves his/her case.

2.5.5 Any member whose membership is not renewed and is under obligation(s) towards the Association as covered by Form(s) of Undertaking and/or is in possession of Association assets, is obliged to honour his/her commitment(s) and/or to return any such assets with immediate effect. This without prejudice to any other rights the Association may have.

2.5.6 Details of member(s) whose renewal is not accepted as per 2.5.2 above shall have relevant details, pertaining to the non-renewal, forwarded to the Commissioner of Police.

6) DEFAULTING MEMBERSHIP FEES

2.6.1 If a member fails to pay his Annual Subscription Fee, he shall not be entitled to either attend or vote at any General Meeting. The Association may, at its discretion, issue reminder letters to defaulting members.

2.6.2 Regardless of whether such reminders are issued or not, the Association is entitled to strike off from the Register of Members any and all members who would have failed to renew their membership of any year by January of that year.

2.6.3 Such a strike off implies that the member in question forfeits all rights and privileges as a Member of the Association. In addition, until such time as a member

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does not renew his/her membership, even before the strike off, he/she shall be considered as not being entitled to the benefits and rights that (paid up) members enjoy.

2.6.4 In such instances, should the member in question owe monies covered by Form(s) of Undertaking to the Association and/or be in possession of Association assets, this member is bound to honour his/her commitment(s) and/or to return any such assets with immediate effect.

2.6.5 In addition, the Association shall forward details of any such member struck off the Register of Members to the Commissioner of Police.

2.6.6 Provided that the validity of a decision taken at a General Meeting shall not, after it is taken, be questioned on the ground that one or more Members present and voting at the meeting, were not entitled to do so in terms of this Article.

## 7) RESIGNATION

2.7.1 Any Member wishing to resign from the Association shall give one month notice in writing to the Secretary. Any Member so resigning shall cease to have any further interest or claim on the funds of the Association.

2.7.2 Such resignation shall be communicated to the Commissioner of Police.

2.7.3 Any sponsorships paid out by the Association to the member and covered by a Form of Undertaking, shall become due by the resigning member to the Association on submission of the letter of resignation. Similarly, any items, material and/or data previously furnished to that member by the Association are to be returned without any delay to the Committee or to designated official(s). This is without prejudice to any other rights the Association may have.

## 8) INFORMATION ON MEMBERS

2.8.1 The names, addresses and copies of any identification documents of members shall be entered in an online database, which shall be kept in accordance with the provisions of the Data Protection Act.

2.8.2 The Association, in its efforts to promote the disciplines practiced, reserves the right to take photographs during Association events or events wherein Association Members are participating in their capacity as such. Such photographs shall remain property of the Association, and may be published in newsletters, brochures and in articles appearing in media describing Association events. Such photographs may be displayed during exhibitions, and on the Association's website.

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9) STATUTE, RULE BOOK AND CODE OF ETHICS

2.9.1 Applicants shall have access to the Statute, which is deemed to have been read by the applicant before the Committee notifies the applicant of its decision. Members' attention shall also be drawn to the Code of Ethics and the Association Rule Book, updated versions of which shall be made available on the Association's website. Hard copy formats shall also be available for perusal by members and prospective members at the Association's premises. It is expected of members that they review these documents regularly to ensure ongoing familiarity and enable them to comply with the prevailing rules set therein.

10) OBLIGATIONS OF MEMBERS

2.10.1 All members shall agree to conform and be bound by this Statute and by the prevailing Association Rule Book and the Code of Ethics. In default of compliance with the terms and conditions set enlisted therein, member(s) shall be liable to immediate expulsion from the Association. The onus of being familiar with the contents of these instruments and abiding therewith lies strictly with the individual member.

2.10.2 In such instances, the provisos on the settlement of monies due and the immediate return of Association assets by the member to the Association, as contemplated in 2.7.3 above (Resignation), shall be deemed applicable.

2.10.3 Association members are expected to uphold the laws and regulations of Malta, as well as Association Rules, especially so in matters where arms, militaria and related issues are concerned. The Committee is entitled to ask members whose behaviour and actions may seem suspect to furnish an updated Police Good Conduct Certificate as certified by the Commissioner of Police at any time. Failure on the part of the member to comply shall lead to instant dismissal without the right of appeal. Any reported serious breach of law shall similarly lead to instant dismissal.

2.10.4 The Association is aware of the fact that irresponsible actions on the part of individual members may jeopardise the future of the Association itself, and also of the entire shooting disciplines. For this reason, irresponsible actions on the part of members, even if not deemed actionable in a court of law, shall bring about the immediate and undisputable dismissal of the member in question.

2.10.5 In the case of such a dismissal, the procedure detailed in 2.7.3 (Resignation) above with respect to the return of Association assets and the reimbursement by the member to the Association of any sponsorship shall be applicable with immediate effect.

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2.10.6 Irresponsible actions described above shall, inter alia, include (but not be limited to) acts placing human life and/or assets in jeopardy, especially (but not necessarily limited to) the handling of firearms. Public representations that are in conflict with the objects of the Association and/or that place the Association in a bad light with society and/or the relevant authorities shall likewise be considered as sufficient justification for instant dismissal.

2.10.7 In all instances described in 2.10.1 to 2.10.6 above leading to dismissal, such dismissal shall be communicated to the Commissioner of Police.

2.10.8 Furthermore, full members shall have the right of redress from such a Committee decision. This will take the form of recourse to the National Arbitration Centre as described in 2.5.3 above.

2.10.9 A member who contests Committee's decision by appealing to the National Arbitration Centre shall be considered as being suspended until such time as the Centre resolves the case.

#### 11) HONORARY MEMBERSHIP - CATEGORIES I AND II

2.11.1 Any person may be appointed an Honorary Member in virtue of his/her public position or merit with respect to the Association. Such an appointment can be bestowed only if the Committee is unanimous in its decision. Any person so honoured shall also benefit of all correspondence and activities offered to regular members; however, he/she shall not be called upon to pay the application fee and the yearly membership fee.

2.11.2 Two categories of such honorary membership shall be created.

2.11.3 Persons appointed in virtue of public position shall be deemed to be CATEGORY II and shall not have any voting power during meetings. Similarly, such persons shall not be eligible to serve either on the Association Committee or as Directors.

2.11.4 CATEGORY II honorary members shall not have any of the rights afforded to mainstream and CATEGORY I members, apart from those specifically contemplated in 2.11.1 above.

2.11.5 CATEGORY I honorary membership is reserved for Association members who would have, over a number of years, constantly and consistently carried out significant actions for the general benefit of the Association. Such an appointment shall give the appointee all rights as accorded to mainstream members, to include the right to serve on the Association Committee and as Directors.

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2.11.6 Any persons upon whom honorary membership, of both classes, is bestowed, are bound by this statute and by the rules, regulations and code of ethics of the Association. This also applies, inter alia, to issues dealing with conflict of interest, whether evident or apparent.

**CHAPTER THREE  
MANAGEMENT**

1) PRESIDENT AND COMMITTEE

3.1.1 The affairs of the Association shall be conducted by a President heading a Committee (referred to within this documents and the supporting Rule Book and Code of Ethics as the “Committee”), which shall consist of the said President, a Secretary and a Treasurer, hereinafter referred to as the “Executive Officials”, and members nominated by the Affiliated Clubs (one per Club), hereinafter referred to as “Nominated Officials”. All Committee members are hereinafter referred to as “Officials”.

2) COMPOSITION

3.2.1 The Officials must be individual members of the Association whose membership (excluding probation) is over one year.

3.2.2 Individual members who are politically-exposed persons (PEPs), both local or foreign, are automatically barred from being Officials of the Association.

3) OVERRIDING AUTHORITY

3.3.1 In the conduct of these affairs and in the exercise of any power conferred on the Committee, the Committee shall be subject to the overriding authority of the Association in a General Meeting, which may overrule any decision of the Committee by means of a simple majority vote. This notwithstanding, Committee decisions dealing with:

- refusal of membership to applicants and/or the renewal of membership (in the case of existing members) on grounds of non-satisfaction of the criteria described in 2.1.4 through 2.1.9 (Membership provisos) above; or
- the suspension and/or dismissal on grounds of non-compliance with membership obligations and/or the laws and regulations of Malta as described in Chapter 2, (10) - Obligation of members - above;

shall not be subject to an appeal through a General Meeting.

3.3.2 Full members’ renewal refusal and/or dismissal on grounds of non-compliance is, however, subject to arbitration as explained in 2.5.3 (recourse to the National Arbitration Centre).

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4) TERM OF OFFICE

3.4.1 The Officials shall hold office for a term of two years, or as may be decided at the Annual General Meeting, unless all or any of them are removed from office by a Resolution taken at an Extraordinary General Meeting called solely for the purpose and at which the Official or Officials mentioned in the Resolution are given an opportunity to be heard.

3.4.2 In instances where Official(s) are removed from office through a General Meeting, the same General Meeting must determine whether the member(s) in question are to be debarred from serving as Official(s) in the future.

3.4.3 The General Meeting shall also, during the convened session, determine the most efficacious manner with which replacement Official(s) are to be appointed. Any Official(s) so appointed shall hold office up to the end of the term of the vacating Official and shall have the same rights and responsibilities as Officials elected through normal procedures.

5) VACANCIES

3.5.1 Any vacancy on Committee, which may occur from resignation or other cause during the term of office (other than that contemplated in 3.5.2 below), shall be filled by means of an Extraordinary General Meeting called solely for the purpose of filling the vacant committee post. During such a General Meeting, it shall not be permissible for issues other than the filling of the vacancy in question to be addressed. An Official so appointed shall hold office up to the end of the term of the vacating Official.

3.5.2 In cases where the majority of the committee resigns, the Committee in its entirety (including the President) shall be deemed dissolved and the CEO shall take over as acting president. The CEO shall set in motion the Presidential and Committee electoral process.

3.5.3 In cases of Presidential resignations (apart from 3.5.2 above), the Vice President shall temporarily assume presidency and the CEO shall immediately set in motion the Presidential electoral process.

3.5.4 The freshly elected President (as per 3.5.3 above) may retain the existing Committee (although he may, at his discretion, re-assign duties thereof) or call for fresh (Committee) elections through a General Meeting.

6) OFFICIAL CEASES TO BE A MEMBER

3.6.1 Officials shall cease to be members of the Committee if they cease to be Members of the Association.



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**7) MEMBER DEBARRED FROM BEING ELECTED TO COMMITTEE**

3.7.1 Any member of other organisation(s) the objects of which conflict, or may be seen or presumed to conflict with the objects of this Association, must submit his/her case for evaluation by the Committee before submitting his/her candidature to become a member of the Committee, any club/sub-committee or any official post within this Association, to include Directorships.

3.7.2 The Committee shall pronounce itself on the matter and may, at its discretion, demand that such member be debarred from holding any office within this Association.

**8) APPOINTMENT OF COMMITTEE OFFICIALS AND THEIR DUTIES**

3.8.1 The President, as elected during a General Meeting, shall appoint from among the (elected) Committee Members a Secretary and a Treasurer. The President and these two officials shall hereinafter be referred to as 'Executive Officials'.

3.8.2 The President shall also appoint or confirm those Officials or other persons who are to represent the Association on any Committee, or on any other Body whenever the Association is entitled to be so represented. Such appointments are to be sanctioned by a simple majority of the Committee.

3.8.3 The President shall preside over the Committee Meetings and General Meetings. However, Presidential and Committee Elections held during General Meetings shall be chaired by the Association CEO.

3.8.4 In instances where the President is indisposed for a short period of time, and during which time a Committee Meeting is to be held, the President may delegate his authority to preside over the said meeting to any Official, preferably to the Secretary.

3.8.5 As long as all Officials are clearly notified of this delegation of authority in time before the convening of the Committee Meeting.

3.8.6 Should the President become indisposed for a period of time, in such a way as not to be able to continue the discharge of his duties towards the Association, the Secretary shall assume Presidential authority.

3.8.7 This assumption of authority shall be regarded as temporary in nature and is to remain in force for not longer than three months. By the end of this three-month period, the President would be expected to have resumed his/her duties.

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3.8.8 Should, at the end of the three-month period, the President still not be in a position to resume his/her duties, the Committee would mandate the CEO to call an immediate General Meeting during which a Presidential election would be held.

3.8.9 In the interim, from the time the temporary mandate of the Secretary ends until the election of a new President, the CEO shall assume the role of Acting President.

3.8.10 The Secretary, apart from temporarily assuming leadership of the Committee in instances as described in (3.8.6) above, shall deputise for the President as and when so advised by the President.

3.8.11 As long as this authorisation is formally noted in the records of the Association.

3.8.12 The Secretary shall be, jointly with the Association CEO, responsible for administrative matters, and shall keep Minutes of all Committee Meetings and General Meetings, provide members with Agendas for forthcoming Committee Meetings and General Meetings and keep all members informed of Association news and announcements through a circular sent regularly.

3.8.13 The Secretary shall also ensure that the Association Rule Book and the Code of Ethics are kept updated, are in circulation as stipulated elsewhere in this Statute, and include all norms and practices as sanctioned by the Committee, in line with the spirit of the Statute.

3.8.14 The Treasurer shall be responsible for all the Association's assets and shall keep proper records of all transactions to the Committee and the members. Such records shall be discussed in convened Committee, with a frequency to be determined by the President. The Treasurer shall present a yearly report on the financial situation of the Association.

## 9) REPRESENTATION

3.9.1 The legal and judicial representation of the Association shall be vested in the President or his/her nominated delegate(s) who must be either Executive Officials of the Committee and /or Officials in the employ of the Association.

3.9.2 The President shall also be the sole official spokesman of the Association.

3.9.3 The President may delegate this authority on a temporary basis, especially so in instances where Officials and/or members are designated the authority of handling particular issues concerning the Association.

3.9.4 Such delegation shall be clearly and formally noted in the records of the Association on both its commencement and expiry.

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3.9.5 Withdrawal of delegated authority may also be issued by the President if he/she deems that such action is in the interests of the Association. Such withdrawal shall be considered final and does not bear the right of redress.

3.9.6 In instances of delegation of authority of representation, the President retains the prerogative to retract any statements and/or commitments his/her delegate may make/enter into, if such actions are deemed not to be in conformity with Association's objects and/or are considered not to be in the interests of the Association and/or its members.

3.9.7 It shall be constituted an offence for any official/member, other than the President or his/her appointed delegate(s), to purport to represent the Association with third parties and/or enter into any communication with the same intent. Such an offence is liable to immediate dismissal of the offending member without the right of redress.

3.9.8 Unless such actions are formally endorsed, prior to being made public, by the President. Such endorsement is to be noted in the records of the Association.

3.9.9 Dismissal as contemplated in 3.9.7 above is to be communicated to the Commissioner of Police.

#### 10) DELEGATION OF POWER

3.10.1 The Committee may delegate all or any of its powers, and shall appoint staff to assist the Committee generally, for such period and remuneration, and on such conditions, as it may deem expedient, and assign to such staff members such duties as it may deem appropriate.

3.10.2 Such powers can only be delegated if (a) there is an acceptance thereof of the majority members in Committee and (b) there is the unanimous support of the (elected) Executive Officials.

#### 11) POWER TO APPOINT ASSOCIATION AUDIT BOARD

3.11.1 The Committee may, at its sole discretion, form an ad-hoc Association Audit Board (AAB) to assist the Committee in dealing with cases where the interests of the Association are deemed or suspected to have been impinged upon through the actions of individual members, officials, or club committees. In such tasks, the role of the AAB shall be advisory, and the deliverable of its work shall take the form of a written report, endorsed by the members of the Board, and drawn up to the attention of the Committee.

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3.11.2 In the interest of maintaining the AAB's autonomy within the Association, no Committee Member and/or other Official may sit on the Audit Board.

**12) MAINTENANCE OF THE RULE BOOK AND CODE OF ETHICS**

3.12.1 The Committee is charged with the maintenance of the Association Rule Book and the Code of Ethics. It is a responsibility of the Committee to ensure that any entries therein shall be in line with, and in support of, the spirit of the Statute.

3.12.2 Should member(s) feel that any particular entry in the Association Rule Book and/or Code of Ethics not be in line with and in support of the Statute, such member(s) have the right to challenge that entry by presenting the case formally and in writing to the Committee.

3.12.3 In instances of dispute, Committee is bound to re-evaluate the allegedly offending entry and give a ruling within one month from receipt of complaint. Should the member(s) still not be satisfied with the clarification and justification afforded by Committee in its reply, recourse for dispute resolution may be availed of by the member(s) through lodging of a case with the National Arbitration Centre (NAC).

3.12.4 Such a complaint with the NAC must be lodged within five days from the official date of Committee's response to complainant. If such recourse to the NAC is made, the entry in question shall be temporarily withdrawn until such time as a ruling is obtained from the Centre.

**13) POWER TO APPOINT SUB-COMMITEE**

3.13.1 The Committee may appoint 'ad hoc' sub-committees as it may deem necessary. Persons appointed as members of such committees need not necessarily be Officials.

3.13.2 The sub-committees shall be composed of at least three members, one of whom shall be a Committee member but not necessarily an Executive Official.

**14) POWER TO APPOINT DIRECTORS AND SUB-COMMITTEES**

3.14.1 In this section, as throughout the entire Statute and Supporting Rule Book/Code of Ethics, all reference to 'Committee' is taken to imply the Association's Committee, formed of the President and the Officials as described in the relevant section of this Statute.

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3.14.2 All other references to 'committee' are to be taken to imply either any sub-committee or ad-hoc sub-committees that may be set up as contemplated by this Statute.

3.14.3 The Committee may appoint Officials as Directors with specific tasks as per the Terms of Reference drawn up on their appointment.

3.14.4 Directors are to report on a regular basis, in a form and manner to be established by the Committee. Directors are bound to request advice from the Committee prior to taking any decisions that are significantly material and/or may impinge on or seem to impinge on (or are in conflict/may be seen to be in conflict with) the objects of the Association.

3.14.5 The Committee is empowered, without prejudice to any other actions it entitled to take, to reverse any decision taken by a Director that is deemed not to be in the interest of the Association, in line with the guideline previously issued by the Committee to the Director, and /or not in conformity with the Statute, Rule Book and/or Code of Ethics.

3.14.6 It is the responsibility of the Directors to identify instances described in (3.14.4 – conflicts) above and to inform the Committee a priori of such instances. The Committee may, at its discretion, dismiss from his/her post any Director/club/sub-committee member(s) failing to act in this manner.

#### 15) POWER TO EMPLOY OFFICIALS

3.15.1 The President may decide to offer employment, whether on a part or a full time basis, to person(s) in order that the latter may provide services of an administrative and/or technical nature to the Association. These employees of the Association shall be referred to "Administrators". The Committee shall determine the remuneration to be paid to such employed Official(s).

3.15.2 Any such decision on the part of the President needs approval by a majority of Committee members.

3.15.3 In instances where an Official is a candidate for the post of Administrator, the Official in question shall refrain from participating in any and all discussions, deliberations and voting processes connected with the selection and subsequent appointment of the successful candidate for the post in question.

3.15.4 If the successful candidate is an Official, he/she shall resign from his/her post upon appointment as an Administrator.

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3.15.5 One such Administrator shall be termed Chief Executive Officer (CEO), with the main duties of running the business matters of the Association, and reporting to the Committee.

3.15.6 Another official the President may decide to employ is a legal advisor, with such a person being a qualified lawyer with a warrant to practice law in Malta. Alternatively, the President may decide to resort to making use of third-party legal advisor(s) who would be consulted on an as-needed basis. In both cases, the President is authorised to resort to legal expertise whenever the interests of the Association are imperilled. The conditions connected with Committee approval of the President's decision (as detailed in 3.15.2 above) shall apply.

3.15.7 Officials employed by the Association hold office on the force of Maltese Laws and Regulations governing employment. In this manner, definite and/or indefinite contracts may be drawn up at the discretion of the Committee. Any such employment shall be subject to an initial probationary period as stipulated within the relevant contract of employment.

#### 16) COMMITTEE MEETINGS

3.16.1 The Committee shall meet at least six times yearly or as frequently as may be deemed necessary by the Officials. A meeting of the Committee may be called by the President at any time or shall be convened upon a request in writing signed by at least two (2) Officials, specifying an Agenda for the Meeting, and deposited at the Registered Office of the Association. Whenever such a request is made, the Meeting shall be convened within five (5) working days of the receipt of the request, unless the signatories thereto agree to a later date.

3.16.2 Any motion shall be approved by a simple majority vote; however, if unsuccessful it shall not be presented again before (3) months have passed. This provision may be overruled if the motion proposed is immediately represented by at least three (3) Committee members and all Committee members are present to discuss the motion.

3.16.3 Officials shall attend all meetings of the Committee, unless advance notice of absence has been given to the Secretary. Any member failing to attend three (3) consecutive meetings, except for a valid reason to be approved at the following meeting, shall cease to be an Official.

3.16.4 In such instances, the process of selection of a replacement Committee member as described elsewhere in this Statute shall apply.

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3.16.5 Provided that Officials shall be notified of any Committee meeting at least three (3) days prior to the date fixed for a Meeting. Such a notification is to be accompanied by an Agenda to be drawn up by the Secretary or by any officially designated Official.

3.16.6 Provided further that, in cases of urgency, the President may call a Committee Meeting without given notice as aforesaid.

3.16.7 No Official shall disclose any of the discussions held during Committee meetings. In such an event, the Committee shall have the right to request the Official to tender his resignation from the Committee. In instances where the disclosed information is deemed by the Committee to have been of a critical and/or sensitive nature and/or is deemed to have significant negative implications on the well-being of the Association, the Committee is authorised to dismiss the defaulting official from the Association.

3.16.8 The CEO is entitled and expected to attend committee meetings and share in discussions.

3.16.9 The President may also request the attendance of other persons on an ad-hoc basis to committee meetings. In such instances, guests are to be informed beforehand as to their status, namely whether they are expected to participate fully in the meeting they are being invited to, or whether their status is solely that of an observer.

3.16.10 In all cases (excepting as per 3.16.11 below), the CEO and any guests invited to Committee meetings, irrespective of their attendance status, are not eligible to vote.

3.16.11 Should the CEO be serving as Acting President, in terms of (3.8.9 – Indisposition of the President above), the CEO shall have the same rights as any other Official presiding the Committee Meeting (to include the right to vote and to a second – casting - vote).

## 17) QUORUM

3.17.1 Four (4) Officials shall form a quorum. Of these, at least two are to be Executive Officials. One such member shall preside the Meeting and shall be any one of the President, the Vice President (in case of the President's indisposition), the Association Chief Executive Officer (basing on the rights afforded to him/her as per 3.8.9 – Indisposition of the President above) or any other Official upon whom authority would have been previously delegated by the President in the case of the latter's temporary indisposition as per (3.9.3) above, unless the Secretary would have assumed control under (3.8.6) above.

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18) MAJORITY VOTE

3.18.1 All decisions taken by the Committee shall be taken by a majority of votes of the Officials present, with the exclusion of the CEO, unless the latter is serving as Acting President. The President or other member presiding shall have a second or casting vote in the case of equality of votes.

3.18.2 All issues are to be discussed at Committee meetings only where matters are settled and decided by a simple majority vote; however if a decision on an important issue has to be reached and there is absolutely no sufficient time to convene a meeting, the President can, after consultation with at least three (3) Officials with voting rights, decide on behalf of the Association. A Committee meeting should then be convened urgently to discuss the matter and ratify the decision.

3.18.3 Decisions on matters that are deemed urgent or of a day-to-day nature may be reached by a simple majority vote taken by correspondence via emails and/or through conference calls.

3.18.4 In reaching such decisions, the CEO shall be kept updated and involved. Furthermore, deliberations and decisions shall be recorded and included within the main Association (Committee meeting) minutes archive.

19) SECRECY OF VOTE

3.19.1 Voting shall be secret whenever a request to this effect is made by any Official.

20) OFFICIAL DEBARRED FROM ATTENDANCE

3.20.1 Whenever there is a discussion or voting on any matter in which a particular Official has, directly or indirectly, a financial interest or an interest the nature of which may preclude him from contributing to the discussion or from voting in a fair and equitable manner, this Official shall declare his/her interest a priori and shall absent him/herself during the discussion or voting on this particular issue.

3.20.2 Should an Official be found to be in breach of the conditions laid down in (3.20.1) above, the Committee shall be within its rights to demand the immediate resignation (from the Committee) of the Official in question.

3.20.3 Without prejudice to the Committee's other rights as stipulated within this Statute and in the supporting Association Rule Book and Code of Ethics, the Committee has the right to remove the defaulting Official from the Committee, should he/she refuse to resign when requested to do so as per (3.20.2) above, and to immediately terminate his/her membership in the Association.



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3.20.4 In instances of dismissal and/or resignation as described in 3.20.2 and 3.20.3 above, the member in question shall be replaced within the Committee following the process described elsewhere in this Statute.

21) DIRECTORSHIPS AND SUB-COMMITTEES

3.21.1 Directors may appoint 'ad hoc' sub-committees as they may deem necessary. Persons appointed as members of such 'ad hoc' committees must be members of the Association. Such appointments, before coming in force, must be endorsed by the Committee.

3.21.2 Minutes must be maintained for all meetings held by sub-committee meetings and same are to be duly forwarded to the Committee. Instances where any action that shall or may impinge on the operations of the Association in any way, shall need to be communicated to the Committee and shall require the latter's approval this action is implemented by the sub or club committee.

3.21.3 Failure to comply on the part of a Director and/or Sub-Committee with (3.21.2) above may lead to the issuance of a warning by the Committee to the defaulting Director and/or sub/club committee.

3.21.4 This without prejudice to any other actions the Committee may deem appropriate to take.

## CHAPTER FOUR

### GENERAL MEETINGS

#### 1) ANNUAL GENERAL MEETINGS (AGM)

4.1.1 An Annual General Meeting (AGM) shall take place each year before the end of the month of March, and at such time and place as the Committee may determine in order for the members to approve;

- a. Reading of the Minutes of the previous AGM;
- b. President's address;
- c. Administrative report by the Secretary and/or Chief Executive Officer;
- d. Financial report by the Treasurer;
- e. Any proposals;
- f. Other matters.

4.1.2 Non-members may be invited to attend the AGM as guests without, however, voting powers. Such invitations may be issued solely by the authority of the Committee, which may stipulate which part(s) of the meeting the guests may be present for.

4.1.2 As default, the serving term for the President and Committee shall be two years. As such, on alternate years, the AGM agenda shall be extended to cover the following:

- g. Resignation of serving President;
- h. Dissolution of serving Committee;
- i. Presidential election;
- j. Committee election.

4.1.3 Only those persons who have been full members of the Association for not less than three (3) consecutive years are eligible to contest Association presidency. In the case of Committee elections, candidates would need to have been Association members for at least one (1) year at the time of their candidature.

4.1.4 Only members who would have renewed their membership for the current year by seven (7) days prior to the AGM are eligible to vote in the AGM.

4.1.5 Members who, by the date of an Annual General Meeting, would not have renewed their membership are not entitled to attend the meeting.

4.1.6 Anybody who would like to leave the meeting before it is concluded should first ask permission from the President or the person chairing the meeting.

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4.1.7 Three weeks before an AGM, the Committee shall hold an Extraordinary General Meeting (EGM) the agenda of which shall be the appointment of two members, hereinafter referred to as "Tellers", of the Association to audit the Association's accounts as prepared by the Treasurer.

2) EXTRAORDINARY GENERAL MEETINGS (EGM)

4.2.1 Extraordinary General Meetings (EGM) shall be held at such time and place as shall be fixed by Committee and shall be called either on the initiative of the Committee or by request in writing of ten (10) of the Members.

4.2.2 Same rules and procedures apply as that of the Annual General Meeting (AGM).

3) NOTICE FOR GENERAL MEETINGS

4.3.1 Except in very urgent cases, notice of every General Meeting shall be given to Association Members, at least twenty-one (21) days before the date fixed for the Meeting, specifying the place, the day and the time fixed for the Meeting.

4.3.2 The Secretary shall, at least seven (7) days prior to such Meeting, circulate an Agenda which shall specify the matters to be discussed at the Meeting.

4.3.3 Any member wishing to raise a specific matter for discussion and/or decision at a General Meeting, shall give due notice to the Secretary at least fourteen (14) days prior to the Meeting.

4) QUORUM

4.4.1 If within fifteen (15) minutes from the time appointed for a General Meeting one third (1/3) of the full Members of the Association are not present, the Meeting, if convened upon the Request of Members, shall be dissolved.

4.4.2 In any other case, the Meeting shall be held irrespective of the number of Members present.

5) PRESIDENTIAL ELECTION

4.5.1 Together with the notice of the Annual General Meeting given in terms of Article 3 above, the Association CEO shall invite Members to nominate candidates in terms of Chapter 3, Article 1, to run for Presidency for the following term.

4.5.2 The CEO shall publish the eligibility criteria for this post to all Members of the Association together with the invitation for nominations.

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4.5.3 Candidates for nomination must be proposed and seconded by a minimum of five (5) members and must indicate their acceptance of nomination. Such nominations must be sent to the CEO on forms issued by the Committee, at least ten (10) days before the date of the AGM.

4.5.4 No nominations for the post of President shall be accepted during the General Meeting itself.

4.5.5 In instances where only one nomination is received, the nominated member shall be deemed to have been elected President. In all other instances, an election shall be held during the General Meeting. Voting shall be by secret ballot. The candidate who obtains the highest number of votes shall be declared to have been duly elected. In the event of a parity of votes, a second election shall be held within fifteen (15) days from the first.

4.5.6 When both the Presidential and the Committee elections are to be held, the CEO is entitled to appoint a number of members to assist him/her in his/her role of managing the elections in question.

## 6) COMMITTEE ELECTION

4.6.1 Together with the invitation for nominations for the candidature for the post of President, the CEO shall, separately, invite Members to nominate candidates in terms of Chapter 3, Article 1, to serve as Executive Officials of the Committee for the following term.

4.6.2 A Member may be nominated, simultaneously, for both the Presidential and the Committee elections, providing he/she satisfies the membership conditions stipulated in (4.1.3) above.

4.6.3 The CEO shall publish the eligibility criteria for this post to all Members of the Association together with the invitation for nominations.

4.6.4 Candidates for election must be proposed and seconded, and must indicate their acceptance of nomination. Such nominations must be sent to the CEO on forms issued by the Committee, at least ten (10) days before the date of the Annual General Meeting.

4.6.5 In the event that the number of nominations received does not reach the minimum requirement of six (6), nominations shall be accepted during the General Meeting itself.

4.6.6 If a member who would have been nominated for both elections gets elected President, his/her nomination for the Committee election shall be declared null and void.

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4.6.7 If more than two (2) nominations are received, an election shall be held during the Annual General Meeting. Voting shall be by secret ballot. The candidates who obtain the highest number of votes shall be declared to have been duly elected. In the event of a parity of votes, the name of the candidate to be elected shall be decided in a by-election held that same day.

4.6.8 This by-election shall be contested solely by those candidates obtaining the same number of votes in the main election. Such an election shall take the form of a show of hands, with the candidate obtaining the greater amount of support being considered elected.

4.6.9 If two (2) nominations are received, the Members nominated within the time limit as aforesaid shall be deemed to have been elected as Officials to sit on Committee for the following two years.

4.6.10 Provided that the election for the Committee is held once a President has already been elected. Should the Presidential election need to be held a second time due to parity of votes (in the Presidential election) as contemplated in (4.5.5) above, the election for the Committee shall likewise be held on the same day as the (second) Presidential election.

4.6.11 In such cases as contemplated in (4.6.10) above, the CEO shall assume the role of caretaker President, dissolving the incumbent Committee, until such time as elections leading to the selection of a fresh President and Committee are held.

4.6.12 In the case of insufficient nominations by the time the elections are held, the freshly-elected President may, at his/her discretion, co-opt the remaining number of Officials from Association members onto the Committee so as to complete the number stipulated in Chapter 3, Article 1. Co-opted Officials shall have the same status, rights and obligations as those elected.

4.6.13 The entire electoral process shall be managed by the Association CEO who, in his/her capacity as Chairman of the General Meeting, shall be charged with the management of the procedure. He/she will be assisted by members appointed by him/herself the CEO to serve as Electoral Assistants.

4.6.14 The CEO and his/her Electoral Assistants shall ensure that the electoral process, in its entirety, is run in a manner that is just, fair and equitable. In particular, it is to be ensured that no incumbent Official abuses of his/her position within the Association and disturbs the level playing field environment that should prevail during the electoral process.

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4.6.15 The Affiliated Clubs shall nominate their representatives to the Committee within fifteen (15) days of the Association AGM in order that they may be endorsed by the President and the Executive Officials to take their posts as Nominated Officials.

4.6.15 If the President and the Executive Officials unanimously agree that an Affiliated Club's nominee could pose a danger to the running of the Association by virtue of his/her behaviour or any other characteristic considered to be detrimental to the Association, that Club shall be notified in writing of their decision, which is final, and an alternative nomination shall be submitted by the Club.

7) VOTES

4.7.1 At all General Meetings of the Association, each Member shall have one (1) vote.

8) PROXY

4.8.1 Members of the Association are expected to show sufficient interest in the running of the Association by exercising their rights to attend and vote at General Meetings. For this reason, the use of proxy voting, whereby a member may authorise another member to vote on his/her behalf, is deemed to be an abdication of these rights. While it is accepted that non-Association commitments may hinder a member from attending the General Meeting, the practice of voting by proxy is not permissible.

9) CASTING VOTE

4.9.1 At all General Meetings, the Chairman may only exercise his right to a casting vote in the event of equality of votes.

10) RESOLUTIONS

4.10.1 Save as otherwise provided, the decisions of the General Meeting shall be taken by a majority of Members present in person, that is by Ordinary Resolution.

4.10.2 Provided that any decision to revoke, alter or amend or add to this Statute or to dissolve the Association, shall be taken only at an Extraordinary General Meeting convened for this purpose, and provided the decision is taken by an Extraordinary Resolution carried by a majority of not less than two thirds (2/3) of the Members present.

4.10.3 Decisions at General Meetings shall be taken by open vote.

4.10.4 Provided that any Member shall have the right to ask for a secret ballot, in which case the voting shall be carried out accordingly.

**CHAPTER FIVE**

**FINANCE**

**1) FUNDS**

5.1.1 The funds of the Association shall not be used for any purpose other than the attainment of the Objects of the Association. In attaining this goal, the Association CEO is charged with ensuring that the Association's assets are utilised and transactions are carried out in strict observance and support of the said Objects.

5.1.2 The CEO is to ensure that no person avails himself/herself and/or handles Association assets/enters into transactions involving the Association that shall not be (a) to the clear benefit of the Association, (b) in line with the Objects, rules and ethics code of the Association and/or (c) result in personal gain in an illicit and/or unethical manner. Should at any period of time the post of CEO be vacant, the Treasurer is to assume this function.

5.1.3 The work of the CEO in matters concerning assets and transactions as described in (5.1.1) above shall be subject to the scrutiny of the Treasurer, who is responsible towards the membership for all assets of the Association.

**2) MANAGEMENT OF FUNDS**

5.2.1 Funds collected from memberships, courses and other income shall be deposited with the bankers of the Association.

5.2.2 Payments shall be made through the Association's bank accounts, with the exception of payment of small amounts, which may be settled with Petty Cash entrusted to the Treasurer.

**3) BOOKS OF ACCOUNTS**

5.3.1 The Treasurer shall keep proper Books of Accounts with the assistance of the CEO The Treasurer shall ensure that such accounts are kept updated and that they give a true and fair view of the state of the Association's affairs.

5.3.2 The President may demand that Books of Accounts be tabled during convened committee for inspection by the Committee. The President shall determine the frequency with which such a tabling is to occur.

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4) FINANCIAL STATEMENT

5.4.1 The Treasurer shall prepare an Annual Financial Statement with the CEO's assistance. This statement shall be duly audited by the appointed Tellers and shall be presented before the Association at its Annual General Meeting. 5) CHEQUES AND ONLINE PAYMENTS

5.5.1 All cheques and online payments shall be authorised by a minimum of two signatories, which could include the Executive Officials and the CEO . The Treasurer shall oversee all financial transactions the Association entered into.

6) INSPECTION

5.6.1 The Books of Accounts shall be open for inspection by every member of the Association, provided reasonable due notice, which shall not be less than two (2) weeks, is given to the CEO and the Treasurer.



**CHAPTER SIX**

**WINDING UP**

**1) DECISION TO BE TAKEN BY EXTRAORDINARY RESOLUTION**

6.1.1 The decision to wind up the Association can only be taken by an Extraordinary Resolution at a General Meeting called for this purpose. See also Resolutions – Chapter 4 (10) above.

6.1.2 The Association shall be considered dissolved if at any point in time its membership falls below seven (7) members.

6.1.3 Following dissolution, all assets of the Association shall be evenly distributed among Affiliated Clubs or to an association with similar objects and interests, to be chosen at the discretion of the Committee.