

# **STATUTE OF THE MALTA FA**

July 2021



**CONTENTS**

<b>Article</b>	<b>Page</b>
<b>DEFINITIONS</b>	<b>3</b>
<b>I. GENERAL PROVISIONS</b>	<b>5</b>
1-7	5
<b>II. MEMBERSHIP</b>	<b>8</b>
8-18	8
<b>III. HONORARY PRESIDENT AND HONORARY MEMBER</b>	<b>15</b>
19	15
<b>IV. ORGANISATION</b>	<b>16</b>
20-58	16
A. General Assembly (22-33)	18
B. Executive Board (34-37)	26
C. President (38-40)	30
D. General secretariat (41-43)	32
E. Permanent committees (44-53)	34
F. Ad-Hoc Committees (54)	41
<b>V. INDEPENDENT COMMITTEES</b>	<b>42</b>
A. Ethics and Compliance Committee (56)	42
B. Electoral Commission (57)	43
C. Judicial Bodies (58)	43
- Disciplinary Commissioner (59)	44
- Control, Disciplinary and Ethics Committee (60)	44
- Appeals Board (61)	46
- Club Licensing Bodies (62)	49
- Dispute Resolution Body (63)	50
- Protests Board (64)	53
<b>VI. DISCIPLINARY MEASURES</b>	<b>58</b>
65-66	
<b>VII. RIGHT OF REDRESS AND JURISDICTION</b>	<b>60</b>
67-68	
<b>VIII. FINANCE</b>	<b>62</b>
69-76	
<b>IX. COMPETITIONS AND RIGHTS IN COMPETITIONS AND EVENTS</b>	<b>66</b>
77-79	
<b>X. INTERNATIONAL MATCHES AND COMPETITIONS</b>	<b>68</b>
82-82	
<b>XI. MEMBER CLUBS, PLAYERS AND COACHES</b>	<b>69</b>
85-88	
<b>XII. FINAL PROVISIONS</b>	<b>76</b>
89-98	

## DEFINITIONS

The terms given below denote the following:

**Affiliate:** any natural or legal person, team, or club affiliated with a Member.

**Arbitration tribunal:** an independent and duly constituted private tribunal or court of justice acting instead of an ordinary court.

**Ad-hoc committee:** A committee that the Executive Board establishes other than Permanent Committees established under this Statute.

**Association:** the Malta Football Association, recognised as such by FIFA and by UEFA. It is a member of FIFA, unless a different meaning is evident from the context.

**Association football:** the game controlled by FIFA and organised by FIFA, the confederations and/or the associations in accordance with the Laws of the Game.

**CAS:** Court of Arbitration for Sport based in Lausanne (Switzerland).

**Confederation:** a group of associations recognised by FIFA that belong to the same continent (or assimilable geographic region).

**Club:** a Member Club of the Malta FA.

**Delegate:** a natural person validly representing a Member at the General Assembly.

**Executive board:** the executive body as well as the legislative body of the Malta FA, other than statute legislative powers.

**Eligibility criteria:** A set of requisites determined by the Executive Board from time to time that shall be fulfilled by any affiliate of a member, or category of affiliates or persons.

**FIFA:** Fédération Internationale de Football Association.

**General Assembly:** the supreme and legislative body of the Malta FA.

**Laws of the Game:** the laws of association football issued by The IFAB in accordance with the relevant provisions of the FIFA Statutes.

**Malta Football Association:** the entity as constituted in accordance with Article 1 of this Statute, including any references to it or abbreviations of the name in this Statute and in the other rules, bye-laws and regulations of the Malta Football Association, with the words or wording "Malta FA", "MFA", "the Association", and "this Association".

**Member:** a legal person that has been admitted into membership of the Malta FA by the General Assembly.

**Member Club:** a legal person in the form of a club that has been admitted into membership of the Malta FA by the General Assembly

**Member Association:** a legal person in the form of an association or similar entity that has been admitted into membership of the Malta FA by the General Assembly

**Official:** any board member (including the members of the Executive Board), committee member, referee and other match officials, coach, trainer and any other person responsible for technical, medical and administrative matters in an association or a club as well as any other persons obliged to comply with this Statute.

**Officers:** the President, the Vice-Presidents, the General Secretary, and the Treasurer of the Association.

**Ordinary courts:** state courts which hear public and private legal disputes, including the Courts of Law of the Republic of Malta.

**Permanent Committee:** A committee established by the Executive Board in accordance with this Statute.

**The IFAB:** The International Football Association Board (IFAB).

NB: Terms referring to natural persons include both genders. Any term in the singular applies to the plural and vice-versa.

## I. GENERAL PROVISIONS

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### Article **1** Legal form

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<sup>1</sup> The Malta Football Association is a private non-profit voluntary organisation of an associative nature established in compliance with the laws of Malta.

The Association shall not distribute any of its assets and/or dividends to its Members and any economic activity which it may carry out will be an ancillary activity for the purpose or in connection with assisting the Association to carry out its objectives and its mission in accordance with the provisions of this Statute.

<sup>2</sup> The Malta FA is a member of FIFA and of UEFA.

<sup>3</sup> The flag, emblem & logo of the Malta FA shall be in the form as the Executive Board of the Association may determine from time to time.

<sup>4</sup> The abbreviation of Malta Football Association is Malta FA or MFA.

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### Article **2** Objectives

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The objectives of the Malta FA are:

- a) to improve the game of football constantly and promote, regulate and control it throughout the territory of Malta in the light of fair play and its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes;
- b) to organise competitions in association football, futsal and beach soccer at national level, by defining precisely, as required, the areas of authority conceded to the various leagues of which it is composed;
- c) to draw up regulations and provisions and ensure their enforcement;
- d) to protect the interests of its Members;
- e) to respect and prevent any infringement of the Statutes, regulations, directives and decisions of FIFA, of UEFA and of the Malta FA as well as the Laws of the Game, and to ensure that these are also respected by its Members;
- f) to promote integrity, ethics and fair play with a view to preventing all methods or practices, such as corruption, doping or match manipulation, which might jeopardise the integrity of matches, competitions, players, officials and Members or give rise to abuse of association football, futsal or beach soccer;
- g) to promote and strengthen good governance principles and practices at national level and encourage its Members to adopt their own good governance principles;
- h) to promote the development of women's football and the full participation of women at all levels of football governance;
- i) to control and supervise all friendly football matches of all forms played throughout the territory of Malta;

- j) to control and supervise association football, futsal and beach soccer at national level and to control and supervise all forms of international football matches played throughout the territory of Malta, in accordance with the relevant Statutes and regulations of FIFA and of the confederations;
- k) to manage international sporting relations connected with association football, futsal and beach soccer;
- l) to host competitions at international and other levels;
- m) to own and/or administer and/or manage sports facilities and/or any other property needed to achieve its objectives;
- n) to enter into any agreement and/or any kind of partnership with other parties for the promotion and the development of association football or sports in general both locally and abroad;
- o) to exploit in the best possible manner the audio-visual, sound broadcasting, advertising and merchandising rights, as well as any other rights of which it is the legitimate owner, in relation to football matches which fall under its jurisdiction and in relation to its own property or the property which it administers;
- p) to do all such other things as are incidental or conducive to the attainment of the objectives and the exercise of the powers of the Association.

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Article **3** **Human rights, non-discrimination and equality, neutrality and institutional independence**

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- <sup>1</sup> The Malta FA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.
- <sup>2</sup> The Malta FA is neutral in matters of politics and religion.
- <sup>3</sup> The Members of the Malta FA shall also be neutral in matters of politics and religion.
- <sup>4</sup> The Malta FA shall remain independent and shall avoid any form of undue political interference. Malta FA shall manage its affairs independently and shall ensure that its own affairs are not influenced by any third parties.
- <sup>5</sup> Discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin, gender, ability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason is strictly prohibited and punishable by suspension or expulsion and/or other disciplinary measures.

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Article **4** **Promoting friendly relations**

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- <sup>1</sup> The Malta FA shall promote friendly relations between its Members, clubs, officials and players and in society for humanitarian objectives.
- <sup>2</sup> The Malta FA shall provide the necessary institutional means to resolve any internal disputes that may arise between the Members, clubs, officials and players.

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Article **5** **Laws of the Game**

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- <sup>1</sup> The Malta FA and each of its Members shall play association football in compliance with the Laws of the Game issued by The IFAB. Only The IFAB may lay down and alter the Laws of the Game.
  - <sup>2</sup> The Malta FA and each of its Members shall play futsal in accordance with the Futsal Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Futsal Laws of the Game.
  - <sup>3</sup> The Malta FA and each of its Members shall play beach soccer in accordance with the Beach Soccer Laws of the Game issued by FIFA. Only FIFA may lay down and alter the Beach Soccer Laws of the Game.
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Article **6** **Conduct of members, bodies, Officials and others**

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- <sup>1</sup> The Malta FA shall be recognised by all its Members and members thereof, as the only body which has the sole right to organise the sport of association football in all its forms and to exercise control and discipline over association football within the territory of the Republic of Malta and which has the right of sole representation of the sport of association football both at national level and at international level.
  - <sup>2</sup> All members, bodies and officials of the Malta FA and every person and organisation involved in the game of association football, futsal and beach soccer in the territory of Malta is obliged to observe the Statutes, regulations, directives, decisions and the Code of Ethics of FIFA, of UEFA, of the Malta FA and any other relevant statutes, as well as the principles of fair play, loyalty, integrity and sportsmanship.
  - <sup>3</sup> The Association recognises the Court of Arbitration in Lausanne, Switzerland (CAS), as the supreme jurisdictional authority to which the Association, its Members and members thereof, may have recourse to in football matters according to the regulations of the Malta FA, UEFA and/or FIFA.
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Article **7** **Official languages**

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- <sup>1</sup> The official languages of the Malta FA shall be Maltese and English. Official documents and texts shall be written in any one of these languages. In the event of any divergence in the interpretation of texts in different languages, the text written in Maltese shall be authoritative.
- <sup>2</sup> The official language(s) at the General Assembly, the Executive Board and any other organ within the association shall be Maltese. However, the presiding Chairperson of any such entity, may for practical reasons, determine that the use of the English language is more convenient for the particular session.

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## II. MEMBERSHIP

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### Article **8** Membership

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- <sup>1</sup> Membership of the Malta FA is open to:
  - a) all football clubs participating in the national league;
  - b) recognised entities, organising recreational football competitions;
  - c) the recognised entity, organising football competitions in the region of Gozo;
  - d) the recognised entity representing the interests of local football referees;
  - e) the recognised entity representing the interests of local football coaches;
  - f) the recognised entity representing the interests of local football players;
  - g) the recognised entity representing the interests of women's football;
  - h) the recognised entities representing the interests of youth football, one in Malta and one in Gozo;
  - i) the association organising Futsal competitions;
  - j) the association organising Beach Soccer competitions;
  - k) Any other entity which the General Assembly may determine admissible after ensuring that its form, objectives and activities are in compliance with this Statute.
- <sup>2</sup> The General Assembly shall decide whether to admit, suspend or expel a Member.
- <sup>3</sup> Admission may be granted if the applicant fulfils the requirements of the Malta FA in accordance with these Statutes.
- <sup>4</sup> Membership is terminated by withdrawal, resignation or expulsion. Loss of membership does not relieve the Member from its financial obligations towards the Malta FA or other Members of the Malta FA, but leads to the loss of all rights in relation to the Malta FA.
- <sup>5</sup> The Malta FA shall ensure that all relevant stakeholders are represented within its General Assembly. The interests of women's football shall also be adequately represented in the General Assembly.

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### Article **9** Admission

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- <sup>1</sup> Any legal person wishing to become a Member of the Malta FA shall apply in writing to the general secretariat of the Malta FA.
- <sup>2</sup> The application must be accompanied by the following mandatory items:
  - a) a copy of its legally valid statute or constitutional document and, if applicable, regulations;
  - b) a declaration that it will comply at all times with the Statutes, regulations and decisions of the Malta FA, UEFA, and FIFA, and ensure that these are also respected, if applicable, by its own members, clubs, officials and players;



- c) a declaration that it will comply with the Laws of the Game in force as laid down by The IFAB, as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA, where and how applicable;
  - d) a declaration that any dispute of national dimension, arising from or related to this Statute, regulations, directives and decisions of the Malta FA shall be exclusively determined by the judicial organs of the Malta FA, which may only be submitted in the last instance to CAS, to the exclusion of any ordinary court, unless expressly prohibited by the Laws of Malta;
  - e) a declaration that any dispute of international dimension arising from or related to the Statutes, regulations, directives and decisions of FIFA or of UEFA may only be submitted in the last instance to CAS, as specified in the Statutes of FIFA and of UEFA;
  - f) a declaration that it is duly formed and registered in accordance with the Laws of Malta;
  - g) a declaration to the effect that the legal composition of the applicant guarantees that it can make decisions independently of any external entity;
  - h) a declaration to the effect that the members of its own bodies were elected or appointed as a result of a procedure that guarantees the complete independence of the election or appointment;
  - i) a list of officials, specifying those who are authorised signatories with the right to enter into legally binding agreements with third parties;
  - j) a copy of the minutes of its last General Assembly or constitutional meeting;
  - k) a declaration that it undertakes to organise or participate in friendly matches only with the prior consent of the Malta FA;
  - l) if applicable, a declaration that it will play all official home matches on the territory of Malta.
- <sup>3</sup> An application for admission as a new Member Club shall be submitted to the Association by not later than the 31st December prior to the commencement of the season in which the requesting club intends to participate for the first time in the National League of the Association.
- <sup>4</sup> Only one Club from the same locality (city, town or village) may be a Member Club of the Malta FA, provided that:
- a) A locality shall be considered to qualify as a city, town or a village if according to law it is entitled to have its own Local Council.
  - b) A Member Club, shall not lose its right to retain its membership with the Malta FA in the case that its locality will no longer be entitled according to law to have its own Local Council.

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Article **10** Request and procedure for application

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<sup>1</sup> The procedure for admission shall be assessed by the Executive Board, in accordance with this Statute and any other regulations, directives or decisions which may become applicable from time to time.

<sup>2</sup> The Executive Board shall request the General Assembly to either accept or refuse admission of the applicant.

<sup>3</sup> The new Member shall acquire membership rights and duties as soon as it has been admitted, to the exclusion of voting rights which shall be exercisable as from the next general assembly.

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## Article **11** Members' rights

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<sup>1</sup> The Members of Malta FA have the following rights:

- a) to take part in the General Assembly, to receive its agenda in advance, to be called to the General Assembly within the prescribed time, to exercise their rights to participate in the debates and discussions and to exercise their voting rights;
- b) to draw up proposals for inclusion in the agenda of the General Assembly;
- c) to nominate candidates for the post of President and Vice-President(s) of the Malta FA;
- d) to be informed of the affairs of Malta FA through its official bodies;
- e) to take part in competitions (if applicable) and/or other sporting activities organised by Malta FA;
- f) to exercise all other rights arising from the Statutes and regulations of Malta FA;
- g) any other right that may arise from this Statute and regulations of the Malta FA.

<sup>2</sup> The exercise of these rights is subject to other provisions in the Statutes and applicable regulations of Malta FA.

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## Article **12** Members' obligations

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<sup>1</sup> The Members of Malta FA have the following obligations:

- a) to comply fully with the Statutes, regulations, directives and decisions of the Malta FA, UEFA and FIFA at all times and to ensure that these are also respected by its members and any of their affiliates;
- b) to take part in competitions (if applicable) and other sporting activities organised by Malta FA;
- c) to pay their membership subscriptions as determined by the Executive Board from time to time;
- d) to respect the Laws of the Game as laid down by The IFAB, as well as the Beach Soccer Laws of the Game and the Futsal Laws of the Game as laid down by FIFA, and to ensure that these are also respected by its members through a statutory provision;
- e) to adopt a statutory clause specifying that any dispute of national dimension, arising from or related to this Statute, regulations, directives and decisions of the Malta FA shall be exclusively determined by the judicial organs of the Malta FA, to the exclusion of any ordinary court, unless expressly prohibited by the Laws of Malta;
- f) to adopt a statutory clause specifying that any dispute of international dimension arising from or related to the Statutes, regulations, directives and decisions of FIFA or of UEFA may only be submitted in the last instance to CAS, as specified in the Statutes of FIFA and of UEFA;
- g) to manage their affairs independently and ensure that their own affairs are not influenced by any third parties in accordance with Article 16 of these Statutes;

- h) to ensure that their bodies are either elected or appointed according to a procedure that guarantees the complete independence of the election or appointment, in accordance with the approved statute of the Malta FA;
- i) to immediately communicate to the Malta FA any amendment to its statutes and regulations as well as the list of its officials who are authorised signatories with the right to enter into legally binding agreements with third parties;
- j) not to maintain any relations of a sporting nature with entities that are not recognised or with Members that have been suspended or expelled;
- l) to observe the principles of loyalty, integrity and good sporting behaviour as an expression of fair play through a statutory provision;
- m) to observe the mandatory items specified under Article 9(2) of these Statutes for the duration of their affiliation;
- n) to administer a register of members which shall regularly be updated;
- o) to ratify at the earliest opportunity any statutes that are in accordance with the requirements of these Statutes;
- p) to comply fully with all other duties arising from the Statutes and other regulations of FIFA, UEFA and Malta FA, as well as any directives issued by the General Secretary;
- q) to administer a register of all donations received, and in this in accordance with regulations which shall become applicable from time to time.

<sup>2</sup> Violation of the above-mentioned obligations by any Member may lead to sanctions provided for in these Statutes.

<sup>3</sup> Violation of par. 1 h) above may also lead to sanctions, even if the third-party influence was not the fault of the Member concerned. Each Member of Malta FA is responsible towards it for any and all acts of the members of their bodies caused by the gross negligence or wilful misconduct of such members.

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## Article **13** Suspension

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<sup>1</sup> The General Assembly is responsible for suspending a Member. The Executive Board may, however, temporarily suspend a Member that seriously and/or repeatedly violates its obligations as a Member with immediate effect. The suspension approved by the Executive Board shall last until the next General Assembly, unless the Executive Board has lifted it in the meantime. The suspension by the General Assembly shall be applicable for a period not exceeding two (2) years. A longer suspension shall be deemed for all intents and purposes to be a termination of membership. In the latter case, such termination shall be ratified by the General Assembly.

<sup>2</sup> The presence of a majority (more than 50%) of the delegates representing the Members eligible to vote is necessary for a suspension to be valid. A suspension of a Member by the General Assembly or the Executive Board shall be confirmed at the next General Assembly by a simple majority of the valid votes cast. If it is not confirmed, the suspension shall be automatically lifted.

<sup>3</sup> A suspended Member shall lose its membership rights. Other Members may not entertain sporting contact with a suspended Member. The Control, Disciplinary and Ethics Panel may impose further sanctions if applicable.

<sup>4</sup> The General Assembly may suspend members that, without good reason, do not participate in the sporting activities organised or recognised by the Malta FA. The suspension shall become applicable

immediately and the member's representatives may not be elected or appointed on any of the organs of the Association until such suspension is lifted.

The Executive Board shall be competent to lift the suspension, within a period of two (2) years from the decision imposed by the General Assembly, if it is shown to its satisfaction that the member has taken all the necessary steps to resume participation in sporting activities organised or recognised by the Malta FA.

<sup>5</sup> In the case of a period suspension of a Member Club which elapses or is lifted either during the same season in which it was inflicted, or prior to the commencement of relative competitions in the coming season, the status of such Club shall be in accordance with its position obtained at the end of the season during which it was suspended.

<sup>6</sup> In the case of a period suspension of a Member Club, if a such suspension is for a period which supersedes both the end of the season during which it is imposed and the commencement of a competition or competitions in the following season, or is for a period which supersedes the commencement of a competition or competitions in that same season, after the expiration of the suspension, the Member Club concerned, shall be able to participate only in those competitions of the Association which will start after the expiry of the suspension. However, in the case of a suspension which expires after the commencement of a new competition, both in the case of the National League, and in the case of other competitions in which participants are divided into divisions or sections, such participation shall be in the lowest division or section, and in the case of those competitions in which participation is based on the criterion in which division or section a Club is participating in another competition, such participation shall be in accordance with the division or section in which such Club is currently participating.

<sup>7</sup> For the purposes of this Article, a Member or a Member Club shall include a team or an affiliate of such Member or Member Club.

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Article **14** **Expulsion or dissolution of members**

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<sup>1</sup> The General Assembly may expel a Member if it seriously and repeatedly violates the Statutes, regulations directives or decisions of FIFA, UEFA and the Malta FA.

<sup>2</sup> The presence of a majority (more than 50%) of the delegates representing the Members eligible to vote at the General Assembly is necessary for an expulsion to be valid, and the motion for expulsion must be adopted by a three-quarter majority of the valid votes cast.

<sup>3</sup> If a Member is expelled or dissolved, its membership to the Association shall terminate at the same time.

<sup>4</sup> A Member shall be obliged to settle all outstanding obligations towards the Association due up to its termination of membership.

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Article **15** **Withdrawal of membership**

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<sup>1</sup> Where a Member wishes to withdraw its membership, notice of withdrawal must reach the general secretariat no later than three (3) months before the end of the football season.

<sup>2</sup> The withdrawal shall not exonerate such Member from any obligations towards other Members and/or towards the Malta FA and shall not be valid until the Member wishing to withdraw has fulfilled its obligations towards the Malta FA and its other Members.

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Article **16 Independence of Members and their bodies**

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<sup>1</sup> Each Member shall manage its affairs independently and with no undue influence from third parties.

<sup>2</sup> The Members' bodies shall be either elected or appointed, in accordance with their approved statutes.

<sup>3</sup> Any Members' bodies that have not been elected or appointed in compliance with the provisions of par. 2 above, even on an interim basis, shall not be recognised by Malta FA.

<sup>4</sup> Decisions passed by bodies that have not been elected or appointed in compliance with par. 2 above shall not be recognised by Malta FA.

<sup>5</sup> In the organisation and regulations of their own recreational football competitions, Member Associations are not required to be in conformity with the Competition Rules of the Malta FA, provided that such regulations are approved beforehand by the Malta FA.

<sup>6</sup> Decisions of the Association shall be binding on all Member Associations and their Members, unless there is an express exclusion.

The Association shall have the power to discipline players and officials in connection with matches in competitions organised by Member Associations when the match official(s) of the match is/are licensed by the Association and appointed to act as such by the Association.

Where disciplinary measures are meted out by the Association in connection with competitions organised directly by it, Member Associations shall be obliged to abide by and respect such disciplinary measures also in connection with their competitions, provided that the punishment entails a period suspension.

<sup>7</sup> Decisions of Member Associations shall only bind the members of the Member Association concerned.

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Article **17 Status of members and their affiliates**

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<sup>1</sup> Members or any of their affiliates, including both natural and legal persons, shall be subordinate to and recognised by the Malta FA.

<sup>2</sup> These Statutes define the scope of authority and the rights and duties of the entities mentioned in par. 1 above. Their statutes and regulations shall be in line with the requirements and obligations of the Statutes and regulations of the Malta FA. The Malta FA shall have the primary responsibility to regulate matters relating to refereeing, the fight against doping, the registration of players, club licensing, the

imposition of disciplinary measures, including for ethical misconduct, as well as measures required to protect the integrity of competitions.

<sup>3</sup> The entities mentioned in par. 1 above shall take all decisions on any matters regarding their membership independently of any external body. This obligation applies regardless of their corporate structure. In any case, no natural or legal person (including holding companies and subsidiaries) shall exercise control over more than one club

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Article **18** **Grouping of Members**

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<sup>1</sup> Member Clubs in each division of the National League, clubs participating in the Women's League, and a group of Members from amongst those defined in Article 8(1)(b) shall have the right to form a grouping to deal with those matters concerning the general interests of the respective Members. Such grouping shall also be competent to deal with any other matter conferred to it by the General Assembly.

Provided that a Member Club may only form part of a grouping which includes the respective Division within which such Member Club participates.

<sup>2</sup> Such grouping shall be governed by those rules which the respective Members shall agree on. Such rules shall be subject to the regulations of the Malta FA and to the approval of the Executive Board.

<sup>3</sup> Where more than one such grouping claims to represent a particular group of Members, the Association shall recognise that grouping which represents more than half of the respective group of Members.

### III. HONORARY PRESIDENT AND CIRCLE OF FORMER OFFICERS

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Article **19** **Honorary President and Circle of Former Officers**

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- <sup>1</sup> The General Assembly may bestow the title of honorary president upon any person for meritorious service to football. Nominations for the bestowment of such title shall be made by the Executive Board.
- <sup>2</sup> There shall be a Circle of Former Officers which shall bring together persons who have served the Association as any of its Officers. The General Assembly may admit to the Circle of Former Officers any person deemed meritorious of such membership.
- <sup>3</sup> The Executive Board may bestow an Order of Merit on deserving long-serving members of the Association or of any of its Members.

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## IV. ORGANISATION

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### Article **20** Bodies of the Association

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- <sup>1</sup> The General Assembly is the supreme and legislative body.
- <sup>2</sup> The Executive Board is the strategic and regulatory body.
- <sup>3</sup> The General Secretariat is the executive, operational and administrative body.
- <sup>4</sup> The independent committees are appointed by the General Assembly and shall include the Ethics and Compliance Committee, the Electoral Commission, the judicial bodies, and any other body which the General Assembly may deem appropriate from time to time.
- <sup>5</sup> The judicial bodies are the Disciplinary Commissioner and his Deputies, the Control, Disciplinary & Ethics Panel, the Dispute Resolution Panel, the Protests Panel, the Club Licensing Panel, and the Appeal Panels.
- <sup>6</sup> Ad hoc committees are appointed by the Executive Board and shall include the Competitions Committee, the Finance Committee, the Social Dialogue Committee, and any other committee the Executive Board may deem appropriate to advise and assist it and the general secretariat in fulfilling their duties.
- <sup>7</sup> The bodies shall be either elected or appointed without any undue external influence and in accordance with the procedures described in these Statutes. The members of the bodies shall not have previously been found guilty of any criminal offence incompatible with the position.
- <sup>8</sup> Any member of the bodies must withdraw from the debate and from taking a decision if there is any risk or possibility of a conflict of interest. In particular, members of the bodies shall always be aware of, and comply with, the relevant provisions of the Malta FA and the FIFA Code of Ethics on conflicts of interest and adjust their conduct as necessary.

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### Article **21** Dismissal of a member of a body

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- <sup>1</sup> The General Assembly may dismiss a member of a body. The Executive Board may also dismiss a member of a body provisionally, with the exception of the members of the independent committees. The provisional dismissal approved by the Executive Board shall be confirmed by the next General Assembly, unless the Executive Board has lifted it in the meantime. If the next General Assembly is of an elective nature, a dismissed member shall be allowed to be an elective candidate (provided that he fulfils the relevant eligibility criteria) on a conditional basis depending on the final decision of the General Assembly on his dismissal which shall be taken before the election.
- <sup>2</sup> The motion for dismissal must be justified and shall be sent to the members of the Executive Board and/or to the Members of the General Assembly along with the respective agenda.
- <sup>3</sup> The member of the body in question has the right to defend himself in front of the Executive Board and/or the General Assembly.



- 4 The motion for dismissal shall be decided by means of secret ballot at the Executive Board and/or the General Assembly. For the motion to be passed, a majority of two-thirds (2/3) of the valid votes cast is required.
- 5 The member dismissed (provisionally or not) is relieved of his functions with immediate effect.

## A. GENERAL ASSEMBLY

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### Article **22** Definition and composition

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- <sup>1</sup> The General Assembly is a meeting at which all of the Members regularly convene. It represents the supreme and legislative authority of Malta FA. Only a General Assembly that is duly convened has the authority to make decisions.
- <sup>2</sup> The General Assembly shall be constituted in accordance with the principles of representative democracy.
- <sup>3</sup> The General Assembly may be ordinary or extraordinary.
- <sup>4</sup> The President shall chair the General Assembly in compliance with these Statutes, the Standing Orders of the General Assembly as well as any applicable regulations.
- <sup>5</sup> The Executive Board may appoint observers who take part in the General Assembly without the right to debate or to vote.
- <sup>6</sup> The Association's Officers, Honorary Presidents may attend the General Assembly without the right to vote.

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### Article **23** Delegates and votes

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- <sup>1</sup> The General Assembly is composed of one delegate for every Member.
- <sup>2</sup> Each Member shall appoint or elect a Delegate and a substitute. Delegates must form part of the management committee or board of the Member that they represent, provided that they fulfil the relevant applicable eligibility criteria. Such appointments are to be made as prescribed by the General Secretariat at least twenty-five (25) days prior to the General Assembly taking place between the 15th July and the 15th August. In order to be entitled to vote in a General Assembly other than that taking place between the 15th July and the 15th August, a Delegate or a Substitute Delegate must be notified to the General Secretariat at least ninety (90) days prior to the relevant General Assembly.
- <sup>3</sup> Each delegate has one vote in the General Assembly. Only the delegates present are entitled to vote. If more than one delegate of the same Member is present during the voting, first voting preference shall be given to the approved delegate and then to the approved substitute delegate. Voting by proxy or by letter is not permitted.
- <sup>4</sup> The President or the Chairperson of the meeting shall only have a casting vote in the case of approval or otherwise of normal business of the General Assembly. However, the President, the Chairperson, the Officers of the Association and the General Secretary, shall not be entitled to vote neither during the normal business of the General Assembly nor in the elections of the President, the Officers of the Association and the Ordinary Members of the Executive Board.
- <sup>5</sup> The members of the Executive Board shall take part in the General Assembly without voting rights. During their terms of office, members of the Executive Board may not be appointed as delegates to the General Assembly.

<sup>6</sup> Matters related to the eligibility of a Delegate or a Substitute under this Article shall be determined by the Electoral Commission. The appointment of a delegate or his/her substitute may not be changed except on serious and grave grounds to the satisfaction of the Electoral Commission.

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## Article **24** Areas of authority

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- <sup>1</sup> The General Assembly has the following areas of authority:
- a) adopting or amending these Statutes and the Standing Orders of the General Assembly;
  - b) appointing three (3) Members to check the minutes and approving the minutes of the last meeting;
  - c) electing the President, the vice-president's and members of the Executive Board;
  - d) electing the chairpersons and members of the independent committees, upon the proposal of the Executive Board;
  - e) appointing scrutineers to count the votes and to assist the General Secretary in distributing the ballot papers issued for the elections;
  - f) approving the annual audited financial statements, including the consolidated financial statements and the annual report;
  - g) approving the activity report;
  - h) appointing the independent and external auditors upon proposal of the Executive Board;
  - i) fixing the membership subscriptions upon the proposal of the Executive Board;
  - j) admitting, suspending or expelling a Member;
  - k) dismissing a member of a body of Malta FA;
  - l) dissolving the Malta FA;
  - m) passing decisions at the request of a Member in accordance with these Statutes or passing any decision entrusted to the General Assembly in accordance with these Statutes.
- <sup>2</sup> No other business, except that on the Agenda of the meeting and business of a merely formal nature, may be transacted at meetings of the General Assembly.

Meetings of the General Assembly shall be conducted in accordance with the applicable Standing Orders of the Association.

<sup>3</sup> Elections at General Assemblies shall be conducted by an Electoral Commission established in accordance with the Regulations of the Electoral Commission.

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## Article **25** Quorum

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<sup>1</sup> Decisions passed by the General Assembly shall only be valid if a majority (more than 50%) of the delegates representing the Members eligible to vote are present.

<sup>2</sup> If a quorum is not achieved, the commencement of the meeting shall be postponed by up to an hour. If a quorum is still not achieved then, a second General Assembly shall take place within seven (7) days with the same agenda.

<sup>3</sup> A quorum is not required for the second meeting of the General Assembly unless an item on the agenda proposes the amendment of these Statutes, the election of the President, vice-presidents or members of the Executive Board, the election of the chairpersons or members of the independent committees, the dismissal of a member of a body, the suspension or expulsion of a Member or the dissolution of the Malta FA.

<sup>4</sup> Once it is declared that the General Assembly has been convened and composed in accordance with these Statutes, the quorum shall not be influenced by delegates departing.

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Article **26** Decisions

<sup>1</sup> A decision that requires a vote shall be reached by a show of hands or by means of an electronic count, unless decided otherwise by the General Assembly. If a show of hands does not result in a clear majority in favour of a motion, the vote shall be taken by calling the roll in alphabetical order.

<sup>2</sup> Unless otherwise stipulated in these Statutes, a majority (more than 50%) of the valid votes cast is sufficient for a decision to be valid. Blank ballot papers, invalid votes or electronic votes manipulated in any way as well as abstentions shall be disregarded when calculating the majority.

<sup>3</sup> A Member having a direct and substantial interest in a decision taken by the General Assembly shall have the right to request the review of such decision before the Court of Arbitration for Sport (CAS) in Lausanne. Such request shall be brought by not later than five (5) working days from the date of the decision. In its review the CAS shall be solely and exclusively authorized to impugn the decision taken and refer the matter back to the General Assembly to act in accordance with its decision. Any such appeal shall not have an automatic suspensive effect on the execution of the decision of the General Assembly.

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Article **27** Elections

<sup>1</sup> Elections shall be conducted by secret ballot.

<sup>2</sup> Elections shall be conducted in accordance with the Standing Orders of the General Assembly and the Regulations of the Electoral Commission.

<sup>3</sup> Elections shall be supervised by the Electoral Commission.

<sup>4</sup> a) The Officers of the Association, except the General Secretary, are elected for a term of office of four (4) years. An Officer of the Association shall be eligible for re-election in the same role for two further mandates of four years each, whether consecutive or not. Where an Officer is elected during an ongoing mandate, s/he shall be eligible for re-election for three full terms of four years each in addition to his/her initial mandate.

b) A person aged 70 or more on the day of the deadline for nominations shall not be eligible for election or re-election.

c) The Officers of the Association shall not be affiliated with any Member and shall not represent any particular member, group of members or affiliates thereof.

d) Nominations for the filling of the posts of Officers of the Association, except in the case of the General Secretary, may be made by any Member of the Association at least nineteen (19) days before the date scheduled for the Annual General Assembly during which elections for any such posts are due to be held, provided that they fulfil the relevant applicable eligibility criteria.

e) In the case that by the date of the closing of the nominations to fill in any post of Officers of the Association, no candidates are proposed to fill any such post, the Electoral Commission shall be empowered to extend such date as it may deem necessary in the circumstances and in any case by not later than 8 days before the date of the General Assembly. Where, following such an extended period, still no candidates are proposed, the position(s) concerned shall remain vacant.

f) In the case of the posts of Vice-President, one such post shall be filled by a female candidate. Where there is more than one female candidate, the position shall be filled by ballot between all nominated female candidates. If there is only one female candidate for the post of Vice-President, she shall be elected directly to the post. Where no female candidates are nominated, the post reserved for a female candidate shall be taken by the third-placed male candidate for the post of Vice-President.

Without prejudice to the preceding sub-article, in the case of the posts of Vice-President, the two remaining posts shall be filled by means of an election between all the nominated candidates. Where not enough male candidates are nominated, the post(s) shall be filled by the best-placed unelected female candidate.

g) When, during the term of office, a vacancy occurs in any of the posts of an Officer of the Association, except in the case of the General Secretary, such vacancy shall be filled at the next Ordinary General Assembly.

In the case that the election for the post of an Officer of the Association is to be held during an Ordinary General Assembly when elections are not normally due, sub-articles d), e), and f) above shall apply.

Once such an office is filled, such an Officer will hold office until the General Assembly during which elections for the posts of the Officers of the Association are normally due to be held.

<sup>5</sup> The ordinary members on the Executive Board shall be nominated by the respective grouping, as defined in Article 18, or entity to be represented as established in sub-article 6 below, at least nineteen (19) days before the scheduled date of the General Assembly. In the case of nominations in accordance with sub-article 6(a) below, the persons nominated must be Officers (President, Secretary, or Treasurer) or their deputies (Vice-President, Assistant Secretary, or Assistant Treasurer), of a Member Club of the Association, provided that they fulfil the relevant applicable eligibility criteria.

In the cases provided in sub-article 6(a) and 6(h) below, where by the date of the closing of the nominations, no candidates are proposed by the respective grouping to fill in such post(s), the Electoral Commission shall be empowered to receive nominations from any member from the respective division in the case of sub-article 6(a), or any Member Association not represented on the Executive Board *ex officio* in the case of sub-Article 6(h), by not later than 8 days before the date of the General Assembly. Where, following such an extended period, still no candidates are proposed, the position(s) concerned shall remain vacant.

<sup>6</sup> The ordinary members nominated as provided in the preceding article are elected for a term of two (2) years as follows:

- a) Four (4) members shall be elected from each of the three top divisions of the National League of the Association, for a total of twelve (12) members;
- b) One (1) member shall be elected from the recognised entity, organising football competitions in the region of Gozo;
- c) One (1) member shall be elected from the entity representing the interests of youth football in Malta;
- d) One (1) member shall be elected from the entity which is recognised as representing the interests of local football coaches;
- e) One (1) member shall be elected from the entity which is recognised as representing the interests of local football players;
- f) One (1) member shall be elected from the grouping of clubs/teams participating in the Women's League to represent the interests of women's football;
- g) One (1) member shall be elected from the associations organising Futsal and Beach Soccer competitions respectively. The choice of such member shall alternate each term between representatives of the two disciplines;
- h) Two (2) members shall be elected from Member Associations other than those directly represented on the Executive Board under this Article.

Provided that in relation to the members provided in sub-articles (b)-(h) above, the elected member shall be the President or Secretary of the entity concerned.

Provided further that where at the end of the first year of the ordinary members' term any of the groupings represented by members as determined in sub-Article (6)(a) above deem there are reasons that justify a change of any of their members on the Executive Board, such grouping shall nominate the new member(s) at least nineteen (19) days before the scheduled date of the General Assembly taking place between the 15th July and the 15th August.

<sup>7</sup> For elections of both Officers and ordinary members:

- a) The names of the candidates for the filling of the above-mentioned posts shall be circulated to the Members of the Association at least seven (7) days before the date of the General Assembly during which elections are due to be held.
- b) Upon election as an Officer of the Association or as an ordinary member of the Executive Board, where such Officer or ordinary member of the Executive Board is a Member's delegate, s/he shall resign his/her position as delegate of such Member.
- c) Candidates for any of the positions under this article shall be familiar with the activities of the association, and shall have a minimum of at least two (2) years of involvement in football activities prior to any such nomination.
- d) An employee of the Association may not serve as an Ordinary Member of the Executive Board provided that s/he does not relinquish his employment for the duration of his/her term on the Board.

<sup>8</sup> For the post of President or for any of the posts of vice-presidents, whoever obtains the highest number of votes is elected to the respective post.

<sup>9</sup> For the election of the other members of the Executive Board, the candidate(s) who receive(s) the most votes in respect of the free seat(s) shall be elected to the respective post.

<sup>10</sup> In the case of a vacancy in one of the ordinary seats on the Executive Board during the term of office, such vacancy shall be filled during the next General Assembly following a fresh nomination by the respective grouping in accordance with the provisions set out in this Article.

<sup>11</sup> Candidatures for any of the positions of the independent committees shall be circulated to the Members at least seven (7) days before the General Assembly at which the members in question shall be elected.

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## Article **28** Ordinary General Assembly

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- <sup>1</sup> The Ordinary General Assembly shall be held three times every year. Provided that, there shall be:
    - a) at least one Ordinary General Assembly convened between the 15th March and the 15th April of every year.
    - b) at least one Ordinary General Assembly convened between the 15th July and the 15th August of every year;
    - c) at least one Ordinary General Assembly convened between the 15th October and the 15th November of every year;
  - <sup>2</sup> The General Secretariat shall fix the place and date. The Members shall be notified in writing at least thirty (30) days in advance.
  - <sup>3</sup> Any proposal that a Member wishes to submit to the General Assembly shall be sent to the general secretariat in writing, with a brief explanation, at least fifteen (15) before the date of the General Assembly.
  - <sup>4</sup> The formal convocation shall be made in writing at least seven (7) before the date of the General Assembly. This convocation shall contain the agenda, the activity report, the financial statements, the independent and external auditors' report and any other relevant documents.
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## Article **29** Ordinary General Assembly agenda

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- <sup>1</sup> The General Secretary shall draw up the agenda based on proposals from the Executive Board and the Members.
- <sup>2</sup> The General Assembly agenda shall include the following mandatory items (in chronological order):
  - a) verification of the composition of the Meeting and of the Delegates entitled to vote;
  - b) approval of the agenda
  - c) approval of the Minutes of the previous Annual General Assembly and the Minutes of any intervening Extraordinary General Assembly;
  - d) an address by the President;
  - e) appointment of scrutineers and Members to check the minutes;
  - f) suspension or expulsion of Members (if applicable);

- g) presentation and approval of the Report of Activities of the Association (Administrative Report) for the past year (applicable for the Ordinary General Assembly convened between the 15th July and the 15th August);
  - h) presentation and approval of the consolidated and audited Financial Statements, as well as the independent and external auditors' report (applicable only to the Ordinary General Assembly convened between the 15th March and the 15th April);
  - i) votes on proposals for amendments to these Statutes and the Standing Orders of the General Assembly (if applicable);
  - j) discussion of any motions that may have been submitted;
  - k) appointment of the independent and external auditors (if applicable) upon proposal of the Executive Board (applicable only to the Ordinary General Assembly convened between the 15th March and the 15th April);
  - l) dismissal of a member of a body of Malta FA (if applicable);
  - m) election of the President and vice-presidents (if applicable, in the Ordinary General Assembly convened between the 15th March and the 15th April, or as otherwise provided in this Statute);
  - n) election of the ordinary members of the Executive Board (if applicable, in the Ordinary General Assembly convened between the 15th July and the 15th August);
  - o) election of the members of the independent committees, i.e. the Audit and Compliance Committee, Electoral Commission and judicial bodies (if applicable, in the Ordinary General Assembly convened between the 15th July and the 15th August);
  - p) admission for membership (if applicable).
- <sup>3</sup> The General Assembly shall not take a decision on any point not included in the agenda.
- <sup>4</sup> The agenda of an Ordinary General Assembly may be altered, provided a majority (50% + 1 vote) of the delegates representing the Members present at the General Assembly and eligible to vote agree to such a motion.

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Article **30** **Extraordinary General Assembly**

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<sup>1</sup> The Executive Board, upon a recommendation of the President, may convene an Extraordinary General Assembly at any time.

<sup>2</sup> The General Secretariat shall convene an Extraordinary General Assembly if more than one half of the Members of the Association make such a request in writing. The request shall specify the items to be included in the agenda.

Without prejudice to the foregoing, where an Ordinary General Assembly is convened or scheduled to be convened within forty-five (45) days from such request, the item(s) requested to be included shall be added to the agenda of such Ordinary General Assembly without the need to convene an Extraordinary General Assembly.

For the purposes of this article, a Member which has been suspended shall not be taken into consideration.

<sup>3</sup> The General Secretary shall notify Members of the place, date and agenda at least seven (7) days before the date of an Extraordinary General Assembly.



<sup>4</sup> When an Extraordinary General Assembly is convened on the initiative of the Executive Board, it must draw up the agenda. When it is convened upon the request of the Members, the agenda must contain the points raised by those Members, unless they are added to the agenda of the Ordinary General Assembly as provided in sub-Article 2 above.

<sup>5</sup> The agenda of an Extraordinary General Assembly must not be altered.

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## Article **31** Amendments to the Statutes and Standing Orders of the General Assembly

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<sup>1</sup> The General Assembly is responsible for amending these Statutes and the Standing Orders of the General Assembly.

<sup>2</sup> Any proposals for an amendment to these Statutes and the Standing Orders of the General Assembly must be submitted in writing with a brief explanation to the general secretariat by a Member, by the Executive Board, or by the General Secretariat. A proposal submitted by a Member is valid, provided it has been supported in writing by at least another Member and is submitted at least fifteen (15) days before the date of the General Assembly.

<sup>3</sup> Without prejudice to any article in these Statutes providing otherwise, for a vote on an amendment to the Statutes and to the Standing Orders of the General Assembly to be valid, a majority (more than 50%) of the delegates representing the Members eligible to vote must be present.

<sup>4</sup> A proposal for an amendment to these Statutes and to the Standing Orders of the General Assembly shall be adopted only if the number of members provided for in Article 25 are present, eligible, and vote for it.

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## Article **32** Minutes

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The General Secretariat shall be responsible for recording the minutes at the General Assembly. The minutes shall be checked by those Members designated, and finally approved at the next General Assembly.

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## Article **33** Effective dates of decisions

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Decisions passed by the General Assembly shall come into effect immediately without prejudice to the right of appeal from decisions of the General Assembly, in accordance with Article 27.

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## B. EXECUTIVE BOARD

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### Article 34 Composition

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- <sup>1</sup> The Executive Board shall consist of twenty-four (24) members as follows:

  - a) the President; and
  - b) three (3) vice-presidents, at least one of which shall be female<sup>1</sup>
  - c) twenty (20) members, collectively referred to as 'Ordinary Members'.
- <sup>2</sup> The President, the vice-president(s) and the other members of the Executive Board shall be elected by the General Assembly in accordance with Article 27 of these Statutes. They shall undergo an eligibility check, to be conducted by the Ethics and Compliance Committee, prior to their election or re-election.
- <sup>3</sup> The mandate of the ordinary members of the Executive Board shall be for two years. Their mandates shall begin immediately after the end of the General Assembly which has elected them and expire at the end of the General Assembly at which their successors are elected.
- <sup>4</sup> A member of the Executive Board may not at the same time be a member of an independent committee and may not be appointed or elected as a delegate representing a Member at the General Assembly. Nor can a member of the Executive Board be an active player, an active coach, or an active match official or referee observer.
- <sup>5</sup> Any position within the Executive Board shall be considered vacant in case of death, resignation or if the member concerned is permanently prevented from performing his official function, including where a member no longer satisfies eligibility criteria.

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### Article 35 Meetings

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- <sup>1</sup> The Executive Board shall meet at least four (4) times a year.
- <sup>2</sup> The President shall convene the Executive Board meetings. If a majority of all members request a meeting, the President shall convene it so that the meeting is held within 14 days of the receipt of the request.
- <sup>3</sup> The President, assisted by the general secretariat, shall compile the agenda. Each member of the Executive Board is entitled to propose items for inclusion in the agenda. The members of the Executive Board must submit the items they wish to be included in the agenda for the meeting to the general secretariat at least five (5) days before the meeting. The agenda must be sent out to the members of the Executive Board at least three days before the meeting.
- <sup>4</sup> The General Secretary and the Treasurer shall take part in the meetings of the Executive Board in a consultative role and without voting rights. If the General Secretary is unable to attend a meeting, he

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<sup>1</sup> This provision is being included as a temporary provision, and shall be revisited by the General Assembly by not later than year end 2025.

may nominate another employee of the Association to attend the meeting on his behalf, subject to the approval of the Executive Board.

<sup>5</sup> The meetings of the Executive Board shall not be held in public. The Executive Board may, however, invite third parties to attend. Those third parties shall not have voting rights, and may only express an opinion with the permission of the Executive Board.

<sup>6</sup> The President may also convene the Executive Board on an urgent basis to deal with any matter requiring immediate settlement between two meetings of the Executive Board. If the members of the Executive Board cannot meet physically, decisions may be passed through other modern means of written communication (e.g. videoconferencing, emails or messaging apps).

<sup>7</sup> a) The General Secretary shall give notice of a meeting of the Executive Board at least three (3) days in advance. The notice shall contain the date, time and place of the meeting and the Agenda of the meeting. This time-limit need not be followed if the President deems the meeting to be an urgent one.

b) The quorum of a meeting of the Executive Board is twelve (12) Members, excluding the Chairperson and the General Secretary.

c) Meetings of the Executive Board shall be conducted in accordance with the Agenda of the meeting and in accordance with the Standing Orders of the Association applicable to Meetings of the Executive Board.

<sup>1</sup> The Executive Board shall have the following powers:

- a) passing decisions on all cases that do not come within the sphere of responsibility of the General Assembly or are not reserved for other bodies by law or under these Statutes.
- b) preparing, with the assistance of the general secretariat, and convening the Ordinary and Extraordinary General Assembly.
- c) deciding to set up permanent and ad hoc committees if necessary at any time, and appointing the chairpersons, deputy chairpersons and members thereof.
- d) approving and issuing the regulations for the organisation of permanent and ad hoc committees.
- e) appointing the General Secretary upon proposal of the President. The General Secretary may be removed by the Executive Board upon proposal of the President.
- f) appointing the Treasurer upon proposal of the President. The Treasurer may be removed by the Executive Board upon proposal of the President
- g) proposing the independent and external auditors to the General Assembly.
- h) appointing replacements for vacancies in the independent committees until the next General Assembly.
- i) approving and issuing regulations governing the conditions of participation in and the staging of competitions organised by the Malta FA, controlling and managing all the competitions of the Association.
- j) approving and issuing other regulations to the exclusion of this Statute and the Standing Orders of the General Assembly. This without prejudice to the right of the General Assembly to approve and issue any regulation, whether Statutory or otherwise.

- k) approving and issuing the Internal Organisation Regulations of the Association.
  - l) ensuring that these Statutes are applied and adopting the executive arrangements required for their application.
  - m) dismissing a member of a body or suspending a Member of the Association provisionally until the next General Assembly.
  - n) delegating tasks under its authority to other bodies.
  - o) appointing observers who may take part in the General Assembly without the right to debate or to vote.
  - p) to suspend the game of association football either partially or entirely and to extend the periods of play even if these had already been decided upon.
  - q) to approve the annual budget of the Association.
  - r) to deal with all such matters as may be submitted to it by the President or the General Assembly.
  - s) deal with any question relating to association football and to take the necessary decisions even if the regulations of the Association, UEFA, and/or FIFA are silent on the matter. In this case, the Executive Board shall base its decisions on justice and righteousness.
- <sup>2</sup> When dealing with a matter that exclusively concerns the interests of a particular grouping as defined in Article 18, the Executive Board shall do so after taking into consideration the views expressed thereon by the grouping concerned.

When dealing with a matter that is of collective interest, the Executive Board shall do so by taking into consideration the views expressed thereon by the relevant Permanent Committee, if applicable.

Provided that only the Executive Board may determine whether a particular matter concerns the interests of a particular grouping exclusively or whether it is of a more collective interest.

Notwithstanding the foregoing sub-article, the Executive Board may discuss or decide upon any matter on its own motion as it may deem fit.

- <sup>3</sup> For all intents and purposes, the members of the Executive Board shall collectively be deemed at law to be the Administrators of the Association.

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## Article **37** Decisions

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- <sup>1</sup> Each member of the Executive Board, except the Chairperson of the Meeting and the General Secretary, have one vote each. The Chairperson of the Meeting has only a casting vote.
- <sup>2</sup> The Executive Board shall reach decisions by a majority (more than 50%) of the valid votes cast. The President shall only have a casting vote where this is applicable and necessary. Voting by proxy or by letter is not permitted.
- <sup>3</sup> Any member of the Executive Board must withdraw from the debate and from taking a decision if there is any risk or possibility of a conflict of interests.
- <sup>4</sup> The decisions taken shall be recorded in the minutes.
- <sup>5</sup> The decisions taken by the Executive Board shall come into effect immediately, unless the Executive Board decides otherwise, and shall be binding upon all Members and their affiliates.

<sup>6</sup> Where a Member having a direct and substantial interest in a decision taken by the Executive Board deems that such decision was taken in blatant breach of the rules, regulations and bye-laws of the Association shall have the right to request the Appeals Panel to review such decision. Such request shall be brought by not later than five (5) working days from the date of the decision. In its review the Appeals Panel shall be solely and exclusively authorized to impugn the decision taken and refer the matter back to the Executive Board to act in accordance with its decision. Any such appeal shall not have an automatic suspensive effect on the execution of the decision of the Executive Board.

<sup>7</sup> Officers and ordinary members of the Executive Board shall not, without the express authorisation of the President or the Executive Board, divulge in any manner whatsoever any information relating to the Association and/or the contents of any document of the Association which has come to his knowledge or in his possession because of his office. An Officer or an ordinary member who breaches this provision shall be guilty of breach of trust against the Association.

If the President deems that a breach of trust has occurred, he shall be entitled to bring before the Executive Board a motion of no confidence in such a member for breach of trust. If the Executive Board agrees with such a motion, the member concerned shall relinquish his office forthwith and shall not be eligible to hold any position within the Association for three years. The Association shall have the right to claim damages against the member concerned as a result of such breach of trust.

<sup>8</sup> Without prejudice to the preceding sub-article, the ordinary members of the Executive Board shall be entitled to declare their separate dissenting position following a vote taken by the Executive Board. In so doing, the ordinary member shall ascertain that it does not disclose or identify the members in relation to their voting on the matter and shall ensure total respect towards the discussion, the individual members, and the Association.

Such entitlement to a dissenting position shall not be construed as tantamount to a right not to be bound by the Executive Board decision in question.

Where a request to review a decision of the Executive Board is lodged under sub-article 6 above, ordinary members shall not be entitled to declare a separate dissenting position until such request is dealt with in full.

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## C. PRESIDENT

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### Article **38** President

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- <sup>1</sup> The President is primarily responsible for:

  - a) implementing the decisions passed by the General Assembly and the Executive Board through the general secretariat;
  - b) ensuring the effective functioning of the bodies in order that they achieve the objectives described in these Statutes;
  - c) supervising the work of the general secretariat;
  - d) the relations between the Malta FA and its Members, FIFA, UEFA, political bodies and other organisations;
  - e) the general strategic direction of the Association in accordance with the approved strategic plan for the Association.
  - f) performing those other tasks assigned to him in accordance with the rules of this Statute and in accordance with the other rules of the Association, and shall exercise authority in those areas which are not expressly assigned by this Statute to the different bodies, the other Officers or other Officials of the Association.
- <sup>2</sup> Only the President may propose to the Executive Board the appointment or the removal of the General Secretary and of the Treasurer.
- <sup>3</sup> The President shall preside over the General Assembly and the Executive Board meetings and those committees of which he has been appointed chairperson.
- <sup>4</sup> The President shall only have a casting vote on the Executive Board.
- <sup>5</sup> If the President is absent or unavailable, the longest-serving vice-president available shall deputise.
- <sup>6</sup> If the position of the President becomes vacant in the sense of Article 38(8) of these Statutes, the longest-serving vice-president shall deputise until the next General Assembly. This General Assembly shall elect a new President for the remaining period of office.
- <sup>7</sup> Any additional powers of the President shall be contained in the Internal Organisation Regulations of the Association.
- <sup>8</sup> The President of the Association may not be a Member of the House of Representatives or of the European Parliament or of a Local Council. The President shall automatically vacate his seat on being elected Member to the House of Representatives or to the European Parliament or to a Local Council.
- <sup>9</sup> In cases of urgency, where it is manifestly not possible to call an Executive Board meeting within the timeframe established under Article 35(7)(a), the President may, after having consulted with the Vice-Presidents, assume the functions of the Executive Board. However, the President shall, at the earliest opportunity, inform the Executive Board of any such decisions taken by him.

Article **39 Vice-Presidents**

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<sup>1</sup> The Vice-Presidents shall carry out those duties which may be assigned to them by the President or the Executive Board.

<sup>2</sup> Where the President is temporarily absent, or unable to perform all or any of his duties, his/her duties shall be carried out by the longest serving Vice-President.

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Article **40 Representation and signature**

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The President represents the Association generally. The President and the General Secretary of the Association shall appear in the name and on behalf of the Association in any act, contract or instrument purporting to bind the Association with third parties.

The Executive Board may adopt special provisions in the Internal Organisation Regulations of the Association regarding the joint signature of office holders.

**D. GENERAL SECRETARIAT**

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Article **41** **General secretariat**

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The general secretariat is the executive, operational and administrative body and shall carry out the work of the Association under the direction of the General Secretary. The members of the general secretariat are bound by the Internal Organisational Regulations and shall fulfil the given tasks in good faith.

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Article **42** **General Secretary**

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- <sup>1</sup> The General Secretary is the Chief Executive Officer of the Association.
- <sup>2</sup> The General Secretary shall be appointed by the Executive Board upon proposal of the President for an indefinite period on the basis of an employment agreement and shall have the necessary professional qualifications and/or experience.
- <sup>3</sup> The General Secretary shall be responsible for:
  - a) implementing decisions passed by the General Assembly and the Executive Board in compliance with the President's directives;
  - b) attending the General Assembly and meetings of the Executive Board and the Ad Hoc committees;
  - c) organising the General Assembly and meetings of the Executive Board and other bodies;
  - d) compiling the minutes for the meetings of the General Assembly, Executive Board and ad hoc committees;
  - e) correspondence;
  - f) the relations with the Members, committees, FIFA and UEFA, under the direction of the President;
  - g) organising the general secretariat;
  - h) the appointment and dismissal of staff working in the Association;
  - i) providing the Electoral Commission and independent committees with logistic and operative support;
  - j) keeping the Executive Board informed of the decisions and recommendations of the Committees of the Association which have executive powers;
  - k) keeping a record of the Members of the Association;
  - l) keeping a registration system for players wishing to take part in competitions held under the jurisdiction of the Association;
  - m) keeping a record of the licensed coaches of the Association, the licensed referees of the Association and the licensed players' intermediaries of the Association;
  - n) overseeing the competitions of the Association and keeping the official records and the disciplinary decisions taken by the Association;
  - o) preparing the Report of Activities for the approval of the General Assembly taking place between the 15th July and the 15th August;



- p) performing all those other tasks which are required of him to perform by the other rules, bye-laws and regulations of the Association, and those other tasks which the President or the Executive Board may assign to him;
- <sup>4</sup> Any additional responsibilities and duties assigned to the General Secretary shall be stipulated in the Internal Organisation Regulations of the Association.
- <sup>5</sup> The General Secretary shall not be a General Assembly delegate or a member of any other body.
- <sup>6</sup> The General Secretary is entitled to attend all the meetings of the Association. During such meetings, the General Secretary may take part in the discussions but shall not vote.
- <sup>7</sup> The General Secretary may call upon any Member or affiliate thereof, any player, coach, match official to produce any documents that may be required.
- <sup>8</sup> If the post of General Secretary is temporarily vacant, or if the General Secretary is unable or unwilling to perform all or any of his duties, the duties of General Secretary shall be carried out by another employee of the Association as the President or the Executive Board may determine.
- <sup>9</sup> The General Secretary may be removed by the Executive Board as provided in Article 36(e) or by the General Assembly with at least two-thirds (2/3) majority.

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Article **43** **Treasurer**

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<sup>1</sup> The Treasurer shall carry out those duties which he is required to perform in accordance with the rules of this statute and in accordance with those other rules, bye-laws and regulations of the Association, as well as such other duties as may be assigned to him by the President or the Executive Board.

The Treasurer shall be appointed by the Executive Board upon proposal of the President for an indefinite period on the basis of an employment agreement and shall have the necessary professional qualifications and/or experience. The Treasurer shall not be a General Assembly delegate or a member of any other body.

<sup>2</sup> It is the duty of the Treasurer to assist and collaborate in the most ample manner with the External Auditor of the Association and with the Board of Internal Auditors of the Association.

<sup>3</sup> If the post of Treasurer is temporarily vacant, or if the Treasurer is unable or unwilling to perform all or any of his duties, the duties of Treasurer shall be carried out by another employee of the Association as the President, the General Secretary, or the Executive Board may determine.

<sup>4</sup> The Treasurer may be removed by the Executive Board as provided in Article 36(f) or by the General Assembly with at least two-thirds (2/3) majority.

## E. PERMANENT COMMITTEES

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### Article **44** Permanent committees

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- <sup>1</sup> The permanent committees are:
    - a) Finance Committee;
    - b) Competitions Committee;
    - c) Technical and Development Committee;
    - d) Referees Committee;
    - e) Committee for Women's Football;
    - f) Amateur and Grassroots Committee;
    - g) Social Dialogue Committee.
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### Article **45** Members on Permanent Committees

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- <sup>1</sup> Chairpersons, deputy chairpersons and members of the permanent committees may be members of the Executive Board with the exception of those of the Referees Committee, who may not belong to the Executive Board. The members of each committee shall be appointed by the Executive Board upon proposal of the General Secretariat. The Executive Board shall ensure appropriate female representation on permanent committees. The chairpersons, deputy chairpersons and the members of the permanent committees shall be designated for a term of office of two years.
  - <sup>2</sup> Each chairperson shall represent his/her committee and conduct business in compliance with the relevant provisions of the Internal Organisation Regulations of the Association approved by the Executive Board.
  - <sup>3</sup> Each chairperson shall fix the dates of meetings in collaboration with the General Secretariat, ensure that all tasks are carried out, and report back to the Executive Board.
  - <sup>4</sup> The Executive Board and each committee may, if necessary, set up a sub-committee to settle urgent matters. Any discussions and decisions of the sub-committee shall be reported to the relevant committee as soon as it is practicable to do so.
  - <sup>5</sup> Committees shall report their findings, conclusions and recommendations to the Executive Board. Each committee may also propose to the Executive Board amendments to the relevant provisions of the Internal Organisation Regulations of the Association that concern its committee.
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### Article **46** Finance Committee

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The Finance Committee shall monitor the financial management and advise the Executive Board on financial matters and asset management. It shall analyse the budget and the financial statements prepared by the Treasurer and submit them to the Executive Board for approval. It shall consist of a chairperson, who shall be one of the association's Vice-Presidents, two [2] independent members, and

two [2] members appointed from amongst the Executive Board. The independent members shall not be members in the management committee of any member.

The Treasurer shall take part in the meetings of the Finance Committee ex officio without voting rights. If the Treasurer is unable to attend a meeting, he may nominate a representative to attend the meeting on his behalf, subject to the approval of the Committee.

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#### Article **47** Competitions Committee

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<sup>1</sup> The Competitions Committee shall propose policies and regulations in relation to the organisation of the competitions of association football at any level in compliance with the provisions of these Statutes and the regulations applicable to competitions.

<sup>2</sup> The Committee shall be composed and have the functions as established in the Competitions Rules of the Association. It may also have different configurations when dealing with specific competitions, subject to approval within its main configuration.

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#### Article **48** Technical and Development Committee

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The Technical and Development Committee shall primarily analyse the basic aspects of football training and technical development in football. It shall also be in charge of the Association's development programmes, devising and proposing appropriate strategies, monitoring these strategies and analysing the support and programmes provided to the Members and providing advice to the Executive Board on development matters in general. It shall consist of a chairperson, a deputy chairperson and up to five (5) members, which shall include the Technical Director, the person responsible for Grassroots and the person responsible for Coach Education.

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#### Article **49** Referees Committee

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<sup>1</sup> The Association shall have a Referees' Committee, hereunder referred to as "the Committee", which shall be competent to deal with all refereeing matters of the Association, including appointments of match officials/referee observers, the recruitment training and education, progression and overall management of Match Officials. The Committee shall also be responsible to ensure that the Association abides at all times by the criteria set by UEFA to the members of the UEFA Referee Convention of which the Association is a full member.

The Referees Committee is responsible to issue and enforce all regulations & policies related to active match officials and referee observers.

<sup>2</sup> (i) The Committee shall consist of a Chairperson and a Vice Chairperson and such number of other members which shall be decided upon by the Executive Board. A person who has a connection whatsoever with a Club or team or an active referee shall not be a member of the Committee.

(ii) The quorum of the Committee shall consist of the Chairperson, the Vice Chairperson in the absence of the Chairperson, and three (3) other Members.

(iii) The Chairperson has both an original and a casting vote.

(iv) The General Secretary shall nominate a Secretary to the Committee, whom may take part in the discussions but may not vote.

<sup>3</sup> (i) There shall be a Refereeing Disciplinary Panel, hereinafter referred to as 'the Disciplinary Panel, to deal with disciplinary matters concerning licensed Match Officials in so far as non-technical matters are concerned, except in the cases of alleged cases of bribery.

(ii) The Disciplinary Panel shall consist of a Chairperson, who shall be a person with experience in refereeing matters, a Sub-Committee Secretary, and two (2) other Members – one Member nominated by the Executive Board and another member nominated by the entity representing Match Officials. The Secretary may take part in the discussions but may not vote. A person who is either the Chairperson, a Member or the Secretary of the Referees' Committee, or has a connection whatsoever with a Club or team, or is an active referee, shall not be a member of the Sub-Committee.

Any alleged disciplinary breach by a Match Official shall be brought by not later than two (2) years from the event giving rise to such breach, following which it shall be barred by prescription and no action may be instituted.

When an alleged disciplinary breach by a Match Official is reported or referred to the Refereeing Committee, the Committee shall determine whether there is a prima facie basis for the alleged disciplinary breach to be referred to the Refereeing Disciplinary Panel.

(iii) (a) The Disciplinary Sub-Committee shall investigate any charge which the Committee decides to issue against a referee.

(b) Pending disciplinary proceedings connected with a charge, the referee charged may not be given any appointments to officiate at matches.

(iv) The Chairperson of the Sub-Committee shall fix the date for the hearing of the charge and the Sub-Committee Secretary shall inform the Match Official concerned of the charge as well as of the date, time and place of the hearing at least six (6) days in advance.

(v) The Match Official charged has the right to:

(a) attend the hearing;

(b) be assisted by a person of his choice, as long as such person is not suspended or has not been declared a 'persona non grata' by the Association;

(c) examine witnesses brought in support of the charge; and

(d) produce and examine witnesses in his defence.

(vi) A Match Official who fails to attend a hearing to which he has been summoned without showing a good cause to the satisfaction of the Sub-Committee shall be suspended from all football activities and shall remain suspended until he appears before the Sub-Committee to answer the charge.

(vii) Before the start of the hearing of a charge, the Match Official charged will have the right to object to a member of the Sub-Committee. Such an objection may only be made once and must be for a just cause. Such an objection will be decided upon by the Chairperson alone. In case that the

Chairperson accepts the objection, he shall adjourn the hearing for another date and shall substitute the member objected to with another member of the Referees' Committee.

(viii) The Sub-Committee shall regulate its own procedure provided that the other rules and regulations of the Association are observed.

(ix) If the Sub-Committee finds that the charge has been proved it shall decide on the punishment to be inflicted. The punishment may include demotion and the removal of the Match Official from the Association. Removal may be extended to an exclusion from all activities connected with the game of association football.

(x) (a) The Chairperson of the Sub-Committee shall inform the Referees' Committee of its findings and conclusions at the earliest opportunity.

(b) The General Secretary of the Association shall inform the Match Official of the decision of the Sub-Committee as soon as practicable after the decision had been taken.

(xi) A referee who has been found guilty by the Sub-Committee has the right to appeal to the Appeals Board of the Association provided that the punishment entails suspension of more than three (3) months or removal. Filing of the petition of appeal, the procedure and the hearing of appeals are regulated by the rules relative to the Appeals Board established in this Statute.

<sup>4</sup> The Committee may nominate other sub-committees as it may deem necessary. The Chairperson of such sub-committees shall be members of the Committee but the other members need not be members of the Committee. These sub-committees shall operate under the direction of the Referees Committee.

<sup>5</sup> The Committee shall distribute amongst its members different duties to be performed within the refereeing sector of the Association. These duties shall be in accordance with the policies which the Board Committee may approve from time to time in accordance with the UEFA Referee Convention.

<sup>6</sup> Nominations to the FIFA Lists of Match Officials and UEFA Referee Observers shall be made by the Committee. However, these shall require the approval of the Executive Board.

<sup>7</sup> The Executive Board shall consult the Committee on measures it intends to take on matters connected with refereeing matters before implementing any such measures.

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Article **50 Match Officials and Referee Observers**

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<sup>1</sup> The Referees Committee of the Association shall, at the beginning of every football season, compile a List of Active Match Officials from Match Officials who submit an application to be licensed for that season. The Referees Committee shall categorize the List of Match Officials. During the football season, the Referees Committee may recruit new referees, promote/demote or remove referees from the List.

<sup>2</sup> (a) A Match Official who wishes to remain on the Active Match Officials' List must submit the Affiliation Form every consecutive season by the established date set by the Referees Committee. The License Fee shall be established by the Executive Board.

(b) The granting of a licence to a person to act as a Match Official implies that such a person shall be subject to the jurisdiction and to all the rules, bye-laws and regulations of the Association and of those other international organisations of which the Association is a member.

- <sup>3</sup> (a) Only Match Officials on the List of Active Match Officials and who have had their licence renewed for the current season may officiate at any game played under the jurisdiction of the Association.
- (b) No Match Official on the List of Active Referees shall officiate in any game or competition which does not fall under the jurisdiction of the Association.
- (c) A Match Official may not decline to accept to officiate at a match for which he has been appointed by the Chairperson or the respective Refereeing Officer, except on grounds of sickness. The Chairperson or the respective Refereeing Officer has the right to require medical proof to his satisfaction if ill health is alleged.
- <sup>4</sup> Any decision of the Match Officials in charge of any match on questions of facts connected with the game shall be final and conclusive. On any question of interpretation by the Match Official regarding the Laws of the Game, the Competition Rules of the Association or the rules of a particular competition of the Association, a protest may be lodged in accordance with the relative provisions of the Protests Board found in this Statute.
- <sup>5</sup> A Match Official must report in the appropriate manner to the Association any instance of misconduct which comes to his notice during the time when and at the place where he has authority.
- <sup>6</sup> A Match Official who is appointed to officiate at a match, shall be entitled to the prescribed fee decided upon by the Executive Board.
- <sup>7</sup> Any Match Official having any connection with a Club, shall not be appointed to officiate in matches of a competition in which his Club is taking part.
- <sup>8</sup> (a) No Match Official may take part, either directly or indirectly, in the transfer or engagement of player.
- (b) A Match Official shall not bet on any local and international Football match.
- (c) Match Official shall not offer, either directly or indirectly, any consideration whatsoever to anybody whomsoever, with the purpose of changing in an unsporting manner the normal course or the result of a match.
- (d) A Match Official shall not accept, either directly or indirectly, any consideration whatsoever, if offered to him with the purpose of influencing him to change the normal course or the result of a match.
- (e) A Match Official has the duty to inform immediately the President of the Association if he is approached by anybody whomsoever with the intention of influencing him to change the normal course or the result of a match. In so doing, he must give all the details available to him.
- <sup>9</sup> The Executive Board may approve all such rules and regulations in line with the UEFA Referee Convention, which may be necessary and incidental to the foregoing and for the formation, training, development, promotion, control and discipline of Match Officials.
- <sup>10</sup> The Referees Committee of the Association shall, at the beginning of every football season, compile a List of Active Referee Observers from Referee Observers who submit an application to be licensed for that season. The Referees Committee shall categorize the List of Referee Observers. During the football season, the Referees Committee may recruit new referee observers, promote/demote or remove referee observers from the List. These shall perform their duties under the authority of, and shall be answerable to, the Referees Committee in so far as observation of match officials is concerned. In so far as the organization of matches and incidents therein are concerned, Referee Observers act under the authority of, and shall be answerable to, the General Secretary of the Association.

<sup>11</sup> Referee Observers must immediately inform the General Secretary about serious and grave incidents happening during a match to which they had been appointed.

<sup>12</sup> Referee Observers must fill in a correct manner the official Referee Observer Report Form about the performance of the match officials officiating at matches for which they have been appointed and about unbecoming behaviour of players, Member Clubs' Committee Members and other officials performing a function during a match and about the behaviour of the supporters of the participating clubs at matches to which they have been appointed, and shall send such report to the General Secretary of this Association as soon as practically possible.

<sup>13</sup> In the case of disciplinary proceedings to be issued against individuals and/or Clubs based on such a report, the General Secretary shall submit a copy of such report as evidence before the competent disciplinary body of the Association.

<sup>14</sup> Referee Observers shall not be appointed to any matches wherein a direct relative of theirs is involved, whether as a player, coach, or match official.

<sup>15</sup> Match Officials and Referee Observers shall not involve themselves in politics by contesting any election, whether at national or local level. Any Match Officials or Referee Observers who intend to contest such election, shall immediately inform the General Secretary to be struck off the list of active Match Officials or Referee Observers. A Match Official or Referee Observer may be reinstated on the respective list not earlier than six (6) months following such election date, if unelected, or not earlier than six (6) months following the end of the term for which s/he has been elected.

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Article **51** **Committee for Women's Football**

The Committee for Women's Football shall oversee the organisation of the Association's women's football competitions and deal with all matters relating to women's football. It shall consist of a chairperson, a deputy chairperson and a number of members that the Executive Board may decide upon.

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Article **52** **Amateur and Grassroots Committee**

The Amateur and Grassroots Committee shall deal with all matters relating to amateur and grassroots football within the Association and its Members. It shall consist of a chairperson, a deputy chairperson and a number of members that the Executive Board may decide upon.

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Article **53** **Social Dialogue Committee**

<sup>1</sup> The Social Dialogue Committee shall have the task to discuss in a setting of social dialogue the rights and obligations between employers and employees in the following configurations:

- a) Member Clubs and players;
- b) Member Clubs and coaches;

- c) the Association and Match Officials and/or Referee Observers.
- 2 The Committee shall have exclusive competence to propose to the Executive Board any changes to the respective regulations governing matters related to each of the above-mentioned stakeholders. Where the Executive Board does not ratify any proposal made by the Social Dialogue Committee, it shall refer the matter back to the Social Dialogue Committee for further discussions between the stakeholders concerned.
- 3 The Committee shall be chaired by an Officer of the Association and shall be composed of an equal number of representatives of employers and employees in each of the configurations provided in sub-article (1). The Social Dialogue Committee shall meet at least twice yearly.
- 4 Depending on the configuration of the Committee, Clubs, the entity recognised to represent coaches, the entity recognised to represent players, and the entity recognised to represent match officials, shall have the right to appoint their respective representatives on the Committee. The Chairperson shall facilitate meetings but shall hold no voting power. Decisions shall be taken by simple majority.



**F. AD-HOC COMMITTEES**

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Article **54** **Ad-Hoc committees**

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- <sup>1</sup> The Executive Board may, if necessary, create ad hoc committees for special duties and a limited period of time. The Executive Board shall appoint a chairperson, a deputy chairperson and the appropriate number of members. The duties and function of ad hoc committees are defined in special regulations approved by the Executive Board. An ad hoc committee shall report directly to the Executive Board.
- <sup>2</sup> The Association may constitute an ad-hoc Board of Inquiry which shall be competent to investigate any matter which may be referred to it by the President or by the Executive Board. Such Board shall be assisted by the General Secretary of the Association or by another person nominated by the Executive Board to act as Secretary to the Board. The General Secretary or the Secretary to the Board, as the case may be, may take part in the discussions but may not vote.
- <sup>3</sup> The Members of the Board may not have a direct interest in the matter under investigation. In the case where any member of the Board has any interest in the matter, the President shall substitute such member s).
- <sup>4</sup> The Board shall report its findings and recommendations to the Executive Board.
- <sup>5</sup> Any member of the Board who does not agree with any of the findings and/or conclusions established by the majority of the members and/or with the recommendations of the majority, is entitled to submit a minority report.

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## V. INDEPENDENT COMMITTEES

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### Article **55** Institutional independence

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<sup>1</sup> The independent committees as well as their individual members shall conduct their activities and perform their duties entirely independently but always in the interests of the Association and in accordance with its Statutes and regulations.

<sup>2</sup> The chairmen, vice-chairmen and members of the independent bodies may not exercise or have exercised during the two years preceding their initial terms any executive function within a Member of the Association, nor have or have had in the two years preceding their initial term any material business relationship with any such Member(s).

<sup>3</sup> Independent committees shall be appointed by the General Assembly upon proposal of the Executive Board for a term of two (2) years and shall not be members of any other body of the Association. Members shall be eligible for re-appointment to the same position after such term. No member of an independent committee may be removed from the position, unless it is shown to the satisfaction of the General Assembly that there are grave and serious reasons to do so.

<sup>5</sup> Where a member of an independent Committee or any other body has an interest in a matter, even an indirect one, s/he shall declare his/her interest and recuse himself/herself from taking part in the discussion on the matter.

A member of an independent Committee shall similarly recuse himself/herself where the matter before the respective body involves a Member Club or Member Association with which such member was affiliated in any position in the last ten (10) years.

<sup>6</sup> Prior to the first sitting of their term of office, all Members of any independent Committee, including the Chairperson, shall sign a declaration confirming their neutrality according to the provisions of this article, and shall also declare that they will maintain confidential every information they may acquire during the sittings of the respective Committee. If the Chairperson, or a Member of the Board refuses to sign such declaration, he shall automatically relinquish his seat on the respective Committee and the Executive Board of the Association shall appoint a new Chairperson or Member, as the case may be.

If the Chairperson or any Ordinary Member of an independent committee signs the declaration and is later found to be in breach of such declaration, the Executive Board of the Association may remove such person from the Board and also take all other measures it considers necessary in order to protect the interests of the Association.

<sup>7</sup> If the chairperson, the deputy chairperson or a member of an independent committee permanently ceases to perform his/her official function during his term of office, the Executive Board shall appoint a replacement to serve until the next General Assembly, in which the General Assembly shall appoint a new member for the remaining period.

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### Article **56** Ethics and Compliance Committee

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<sup>1</sup> The Ethics and Compliance Committee shall be composed of a Chairperson and six (6) members. The committee shall be assisted by a secretary.

- <sup>2</sup> The functions of the committee shall be the following:
- (a) To determine if any of the persons bound by the Association's Code of Ethics, breached any of the its provisions;
  - (b) To report on an annual basis to the General Assembly, about the workings of the committee;
  - (c) To propose amendments to the Association's Code of Ethics and/or make recommendations to the General Assembly, in relation to better the ethical standards within the Association;
  - (d) To refer any matter to any other board or committee within the association for their consideration;
  - (e) To review and certify the due diligence fit and proper test established under the Association's Code of Ethics;
  - (f) To do anything else as determined by any other provision, rule or regulation of the Association;
- <sup>3</sup> Without prejudice to any other rules and regulations, any alleged breach of the Association's Code of Ethics shall be brought against persons bound by the Code by not later than two (2) years from the happening of the event giving rise to such alleged breach. In default, any action shall be barred by prescription.

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Article **57** **The Electoral Commission**

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- <sup>1</sup> The Electoral Commission is the body in charge of organising and supervising the election process in accordance with the Regulations of the Electoral Commission.
- <sup>2</sup> The composition and function of the Electoral Commission shall be governed by the Regulations of the Electoral Commission.
- <sup>3</sup> Decisions of the Electoral Commission may be appealed in accordance with the Regulations of the Electoral Commission.

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Article **58** **Judicial bodies**

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- <sup>1</sup> The judicial bodies are:
- a) the Disciplinary Commissioner;
  - b) the Control, Disciplinary and Ethics Committee;
  - c) the Appeals Board;
  - d) the Club licensing bodies;
  - e) the Dispute resolution body;
  - f) the Protests Board.

<sup>2</sup> The judicial bodies are to be composed in such a way that the members, together, have the knowledge, abilities and specialist experience that is necessary for the due completion of their tasks and duties.

<sup>3</sup> All members of the judicial bodies (including the chairpersons and deputy chairpersons) shall undergo an integrity check prior to their election or re-election which shall be conducted by the Ethics and Compliance Committee.

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Article **59** **Disciplinary Commissioner**

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<sup>1</sup> The Disciplinary Commissioner shall be competent to hear and decide all cases of discipline involving players taking part, and other persons entitled to sit on the Substitutes Benches, in matches where a referee has been appointed by this Association, except matches involving the National Teams of the Association, and other disciplinary cases which may be referred to him by the General Secretary of the Association.

<sup>2</sup> There shall also be a Panel of Deputy Disciplinary Commissioners to carry out the functions of the Disciplinary Commissioner when the latter is unable to carry out his duties.

Amended  
28.07.23

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Article **60** **Control, Disciplinary and Ethics Committee**

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<sup>1</sup> The Control, Disciplinary and Ethics Committee shall be competent to deal with and take all necessary disciplinary action against any Member or affiliate thereof or against any other person subject to the jurisdiction of the Association for any violation of this Statute and any of the rules, bye-laws or regulations of the Association or the Laws of the Game, including incidents reported by referees and/or the Referee Observer in connection with matches in competitions directly organised and managed by the Association and which do not fall under the jurisdiction of any other authority established by this Statute, unless such powers are vested in any other body of the Association.

The Committee shall have the power to deal also with bodies or individuals on which it has jurisdiction and which had brought the game of association football or the Association into disrepute.

It shall have the power to inflict those penalties which are prescribed by the regulations against a party found guilty. These powers are also vested in those other bodies of the Association which according to the rules of this Statute and according to the other rules, bye-laws and regulations of the Association are empowered to adjudicate offences.

Provided that cases of unplayed matches and matches abandoned before the end of the time established in the Competition Rules of the Association where disciplinary action should be taken, shall only be dealt with and decided by the Board if referred to it by the General Secretary of the Association.

<sup>2</sup> The Committee shall consist of a Chairperson, two (2) Deputy Chairmen and a number of members determined by the Executive Board. Without prejudice to the foregoing composition, the Committee may have different configurations when dealing with (i) integrity matters; and (ii) doping matters. The panel of members in such configurations shall include persons with the relevant professional background to deal with such specialised matters.

<sup>3</sup> The Executive Board may also appoint a person to prosecute cases before the Committee. This person shall be preferably a person who has a legal background and shall be known as 'The Prosecutor of the Association'.

Such person may be supported by a number of Disciplinary Inspectors, appointed by the Executive Board from time to time on the basis of their professional background and expertise, who shall have the authority to investigate a matter assigned to them and to aid in the prosecution of any offences arising therefrom.

<sup>4</sup> The Control, Disciplinary and Ethics Committee may pronounce the sanctions described in these Statutes, the Disciplinary Code and the Ethics Code of the Association on Members, officials, players, clubs, licensed match agents and intermediaries as the case may be.

<sup>5</sup> These provisions do not affect the powers of the General Assembly and the Executive Board with regard to the suspension and expulsion of Members.

<sup>6</sup> The quorum of the Committee shall consist of the Chairperson or one of the Deputy Chairmen and two (2) other members. The Chairperson has both an original and a casting vote.

The Committee shall be assisted by the General Secretariat of the Association. The Secretary to the Committee may take part in the discussions but may not vote.

<sup>7</sup> a) A Member Club or a person whose case is to be dealt with by the Committee, shall be notified in writing with the charge and the date, time and place of the hearing at least three (3) days in advance. This time-limit may be waived by the party charged.

b) A Member Club or person charged has the right to be present at the hearing of the case, be represented, cross-examine the witnesses brought in support of the charge and to produce and examine witnesses.

c) A Member Club or person charged in connection with a match has the right to ask the Secretariat of the Association to summon as witnesses the Match Officials of the match in question, that is the referee, the assistant referees, the Fourth Official and the Referee Observer, provided that such request is made at least three (3) days before the date fixed for the hearing. In default of such request, the report or reports of the Match Officials shall be proof of their contents.

d) If a witness duly summoned fails without reasonable cause to appear at a hearing, the Committee shall report the matter to the General Secretary.

e) An adjournment for the hearing of a case due to the absence of a duly summoned witness, even if such an absence is for a reasonable cause, may only be given once. However, when the Committee is dealing with a case of an unplayed or an abandoned match no adjournment may be granted.

f) The Committee may proceed with the case in the absence of the party charged (except when the Committee is dealing with a case of an unplayed or an abandoned match), if the party charged shows reasonable cause for its absence up to the time of the hearing. When permitted, if reasonable cause is not shown for absence, the Committee may nevertheless proceed with the case and may also impose a fine not exceeding fifty euro (€50) on the party charged for his/her absence.

g) A party charged may absent itself from a hearing without incurring a fine for its absence if by not later than one (1) day before the hearing it files a declaration with the Secretariat of the Association admitting the charge. In the case of a Member Club such declaration must be signed by the President or the Secretary of the Member Club concerned.

<sup>8</sup> The Committee is empowered to regulate its own procedure provided that the rules of the Association are observed.

<sup>9</sup> If the charge is proved the Committee shall inflict a sanction which is in accordance with the rules of the Association.

<sup>10</sup> The Committee is also empowered to make those recommendations to the Executive Board which it may deem fit. However, the Committee is not entitled to change any part of the decision taken by another body of the Association.

<sup>11</sup> The General Secretary of the Association shall inform the party charged of the decision as soon as practicable after the decision had been taken. Furthermore, the General Secretary shall at the earliest opportunity inform the Executive Board of any recommendations made by the Committee.

<sup>12</sup> Except in the case of an unplayed or an abandoned match before the end of the time established in the Competition Rules, any other decision of the Committee may be appealed against by the party found guilty to the Appeals Board of the Association. The mode of filing of the petition appeal and the procedure to be followed on any such appeal are regulated by the rules relative to the Appeals Board established in this Statute.

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## Article **61** Appeals Board

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<sup>1</sup> The Appeals Board shall be competent to take cognisance of and decide upon appeals and petitions against decisions of the other bodies of the Association according to the Statute and regulations of the Association, provided that such decisions may be appealed and provided that such decisions are not final and binding in accordance with the provisions of this Statute or in accordance with the other rules and regulations of the Association. However, in the case of a decision which is final and binding, if it is alleged that a substantial breach of procedural rules was committed by the first and last instance competent body, an appeal may be lodged but only in so far as such an allegation is concerned and not on the merits of the case. In case that the Board finds that a substantial breach of procedural rules was committed by the first and last instance body it shall refer back the case to such a body for a new hearing and decision on the merits of the case in accordance with the rules and regulations of the Association.

<sup>2</sup> The Board shall consist of a Chairperson and two (2) Members. There shall be also a Panel of Substitute Members consisting of a number of members determined by the Executive Board to substitute any member of the Appeals Board who for any reason whatsoever is unable to take cognisance of an appeal.

The composition of the Appeals Board or the Panel of Substitute Members must include both a lawyer and a certified public accountant and auditor.

Provided that in the case of an appeal from a decision of the Member Clubs' Licensing Board in the case of a decision regarding the refusal to grant a license which would enable a Member Club to participate in UEFA competitions for Clubs, in which case the Board is the second and final instance body, the composition of the Appeals Board must include at least one lawyer and at least one certified public accountant and auditor. In such case, the Chairperson of the Board may designate, from the Panel of Substitute Members, at least one lawyer and at least one certified public accountant and auditor.

The Board shall be assisted by a Secretary who shall be responsible for administrative matters.

<sup>3</sup> In the case of the hearing of any other appeal, if any of the members of the Appeals Board, including the Chairperson, cannot take cognizance of such an appeal, the Chairperson of the Board shall designate,

from the Panel of Substitute Members, such members in order that the Board will consist of a Chairperson and two members.

<sup>4</sup> In the case of the hearing of an appeal in relation to complaints and requests of players, coaches, or other club personnel on matters of dispute between them and a Member Club, or vice-versa, the Board shall consist of a Chairperson, two (2) ordinary Members nominated by all Member Clubs, and two (2) ordinary Members nominated by the recognised national players' association. Such Chairperson and Members may be different than those mentioned in sub-articles (a) and (b) above and shall not occupy any position within the Association, Member Clubs, Associated Clubs, Member Associations or Associated Associations. Nor can they be active players, coaches or match-officials when appointed to the Board.

The Chairperson of the Board sitting in this configuration shall be appointed by agreement between the ordinary Members, acting in a proportionate and paired manner that is equally representative of Member Clubs on one hand and the recognised national players' association on the other, from amongst a pool of three (3) persons proposed by the Association. Provided that where such an agreement is not reached within the timeframe set by the General Secretary and communicated to the ordinary members, the Chairperson shall be appointed by the Executive Board of the Association and such decision shall be binding.

<sup>5</sup> Decisions of the Appeals Board shall be taken in accordance with the simple majority of votes. The Chairperson of the Board shall have both an original and a casting vote.

Amended:  
30.06.22

<sup>6</sup> a) An appeal shall not be valid unless the interested party, within three (3) working days of the notification to him of the decision against which an appeal is to be lodged, had given to the Secretariat of the Association a written notice of his intention to appeal. The notice of appeal shall not be required in the case of an appeal to be made on the basis of the Association's regulations which provide for the right of appeal to the Appeals Board of the Association and which stipulate that no such notice is required.

b) An appeal shall be lodged by means of a petition. A petition of appeal must, under pain of nullity, be in the form and manner established by the Executive Board, made in writing and must include the reasons for the appeal. Furthermore, under pain of nullity, it must be:

i) filed with the Secretariat of the Association and signed by the party making the appeal. In the case of Member Clubs and Member Associations, the petition of appeal must be signed by the acknowledged President or Secretary or Treasurer or any of their respective assistants; and

ii) accompanied by a deposit of a fee which shall be determined by the Executive Board; and

iii) filed within fourteen (14) days from the date of notification of the decision against which an appeal is to be lodged.

Provided that where regulations of the Association that provide for the right of appeal to the Appeals Board of the Association stipulate a shorter period for the filing of the petition of appeal, such petition of appeal must be filed within such shorter period

The nullity of an appeal for any reason mentioned in this clause shall be decided by the Chairperson of the Board alone without any hearing and the decision in writing shall be given "in camera". In such a case, the Chairperson shall decide also whether the deposit, if a deposit had been made, shall be forfeited or refunded in whole or in part.

Amended:  
30.06.22

<sup>7</sup> a) The deposit of the appeal shall be automatically forfeited in favour of the Association if the appeal is not upheld.

(b) If the appeal is only partially upheld, the Board shall, at its discretion, decide as to what amount, if any, shall be forfeited in favour of the Association.

(c) If in the opinion of the Board a frivolous or an irresponsible appeal was lodged, besides the automatic forfeiture of the deposit in favour of the Association, the Board may impose on the appellant a fine.

<sup>8</sup> The President of the Association and the General Secretary of the Association or any one of them, or any other Officer of the Association as directed by the President, have the right to defend any appealed decision. However, the Executive Board may appoint another person who will have the right and the duty to support and defend any appealed decision before the Appeals Board. This person shall be preferably a person who has a legal background and shall be known as the "Defender of Appealed Decisions". The Executive Board may appoint other persons to perform the duties of the Defender of Appealed Decisions when the Defender of Appealed Decisions is unable to perform his duties.

<sup>9</sup> In the case where an appeal has been filed following a decision of the first instance where there was more than one party to the matter decided, the party or parties who had obtained a favourable decision by the first instance shall have the right to be a party to the appeal and is entitled to support and defend the decision appealed against before the Appeals Board together with an Officer of the Association or the Defender of Appealed Decisions.

<sup>10</sup> The Board is empowered to regulate its own procedure, provided that the following rules are observed:

a) The appellant shall be given at least three (3) days' notice of the date, place and time of the hearing, provided that an appellant and an appealed party may renounce to this time limit.

b) Each party to an appeal shall have the right to object only once against a member of the Appeals Board. Such objection shall be for a cause. The fact that a member of the Board had been the Chairperson or a member of the Board when a decision on an appeal based on the same or similar facts and/or on the same rules on which the present appeal is based was taken, shall not qualify as a valid cause for upholding an objection against a member of the Board.

The decision whether to uphold or reject such an objection is decided upon by the Board.

c) In the case that an objection against a member of the Board is accepted, even where the member objected to is the Chairperson, the Chairperson of the Board shall substitute the member objected to by another member from the Panel of Substitute Members.

d) As a rule, no oral evidence is allowed during a hearing but the Board may ask for evidence which has already been tendered to be heard orally. In exceptional circumstances, the Board may allow new evidence to be produced by the parties provided that the party requesting it proves to the satisfaction of the Board either that he could not produce such evidence before the body of first instance or he could not reasonably have known of such evidence before the appealed decision had been taken by the body of first instance. Furthermore, the Board may ask for the production of additional evidence, which may include video-evidence.

e) In the case of an appeal from a decision of the Member Clubs' Licensing Board in the case of a decision regarding the refusal to grant a license that would enable a Member Club to participate in UEFA competitions for Clubs, before arriving at its decision, the Board may consult the members of the Panel of Experts appointed by the General Assembly under the relative provisions of appropriate regulations.

<sup>11</sup> If an appeal is lodged it shall only have a delaying effect in financial matters and for fines.



<sup>12</sup> If an appeal is not upheld, the Board shall also decide on the expenses of the appeal to be paid by the appellant, and which expenses shall include those of the Defender of the Decisions. If an appeal is upheld, the Board shall decide whether the deposit of the appeal is to be refunded in full or in part to the appellant as well as on whether the appellant should pay any expenses.

<sup>13</sup> All decisions of the Board, including those relating to the forfeiture of the deposit in full or in part and those relating to costs, shall be final and binding on all parties.

All the decisions of the Board shall be in writing.

The Chairperson of the Board shall deposit any decision of the Board with the Secretariat of the Association and shall cause a copy of the decision to be notified to all parties as soon as practicable after the decision.

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Article **62 Club Licensing Bodies**

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<sup>1</sup> The Member Clubs' Licensing Boards shall be competent to grant licences to Member Clubs for the coming football season so that these may be able to exercise their rights as full members of the Association. The Board shall be the body of first instance in the licensing procedure of Member Clubs.

The rights of Member Clubs that are subordinated to obtaining a licence from the Association include the right to participate in the competitions of the Association for senior teams and the right to participate in any UEFA competition for Clubs in the case that such Clubs sportingly qualify to take part in any UEFA competition for Clubs provided that exceptions may be made if UEFA allows such exceptions.

For the purpose of the granting of licences which enable Member Clubs to participate in UEFA competitions for Clubs, the Association is recognised by UEFA as the Licensor of Member Clubs.

<sup>2</sup> A licence granted by the Association shall be valid only for one football season, is not transferable and shall automatically expire at the end of the football season for which it is valid without the prior need of any notification.

The Executive Board of the Association shall enact appropriate regulations stipulating the conditions which Member Clubs must satisfy in order to obtain a licence from the Association, the procedure that must be followed by Member Clubs to obtain a licence and the procedure that must be followed by the Association to grant licences. In so far as the participation of Member Clubs in UEFA competitions for Clubs is concerned, the conditions enacted by the Executive Board shall satisfy in their minimum the conditions established by UEFA. The regulations shall also provide for the appointment of a Licensing Manager and for the setting up of a Panel of Experts to help the Licensing Manager and the licensing bodies in their duties.

In the granting of licences to Member Clubs, the Boards shall abide by those regulations that the Executive Board may enact and are in force.

<sup>3</sup> There shall be two types of Member Clubs' Licensing Boards:

a) The UEFA Member Clubs' Licensing Board which shall grant or refuse licenses which enable Member Clubs to participate in UEFA Competitions for Clubs; and

b) The MFA Member Clubs' Licensing Board which shall grant or refuse licenses which enable Member Clubs to participate in the National League and any other competition of the Association

<sup>4</sup> Both Boards shall consist of a Chairperson, two Deputy Chairmen and of such number of other members as may be stipulated in the regulations that the Executive Board shall enact. These regulations shall also stipulate the qualifications that the members of the Board or any of them shall be required to have.

The Executive Board shall also appoint a Secretary to the Boards to take charge of administrative matters.

The quorum of a Board shall consist of the Chairperson or one of the Deputy Chairmen and two other members.

The Chairperson of a Board or a Deputy Chairperson whilst acting as the Chairperson of the Board, shall have both an original and a casting vote.

<sup>5</sup> A decision of a Board refusing to grant the requested type of license or any type of license whatsoever may be appealed against by the Member Club concerned to the Appeals Board of the Association, which is the body of second instance in the licensing procedure. The mode of lodging an appeal and the procedure to be followed on any such appeal are regulated by the rules relative to the Appeals Board of the Association established in this Statute and by those other regulations that the Executive Board may enact.

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Article **63** **Dispute Resolution Body**

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<sup>1</sup> The Association shall have a Dispute Resolution Body known as the Complaints Board, hereunder referred to as "the Board".

The Board shall be competent to deal with:

- a) complaints and requests of players or coaches on matters of dispute between them and the Member Club with which they are or were engaged;
- b) complaints and requests of Member Clubs on matters of dispute between a Member Club and players or coaches which are engaged or were engaged with such a Member Club;
- c) complaints of players' agents against players or Member Clubs and with complaints of players or Member Clubs against players' agents;
- d) complaints and requests of other club personnel on matters of dispute between them and the Member Club with which they are engaged;
- e) complaints of players and clubs affiliated with the Gozo F.A. and vice-versa with regards to rights and obligations of players and clubs in accordance with the rules of the Association. In this latter case, the Gozo F.A. shall be a party to the proceedings.
- f) disputes which arise between Member Clubs and/or Member Associations or between Member Clubs and Clubs affiliated with the Gozo F.A. In the case of a dispute between a Member Club and a Club affiliated with the Gozo F.A., the Gozo F.A. shall also be a party to the proceedings.
- g) matters related to players' status;
- h) matters related to disputes on civil or commercial matters.

Amended:  
30.06.22

<sup>2</sup> In the case of complaints or requests by players, coaches, other club personnel and players' agents, the Board shall only take into consideration claims if these are submitted to the Association within the time-limit mentioned in the relevant rules and regulations of the Association and the complaint or request is made in the manner established by the Executive Board and is accompanied by such a fee as is established by the rules and regulations of the Association or as determined by the Executive Board for the filing of such a complaint or request.

In the case of complaints or requests made by Clubs, the Board shall only take into consideration claims if these are submitted to the Association within the period of one (1) year from the date on which such claim has arisen and the complaint or request is accompanied by such a fee as is established by the rules and regulations of the Association for the filing of such a complaint or request.

<sup>3</sup> The Board shall consist of a Chairperson and at least two (2) members. Without prejudice to the foregoing composition, the Committee may have different configurations when dealing with

- a) employment matters;
- b) matters related to players' status;
- c) disputes of a civil or commercial nature.

The panel of members in such configurations shall include persons with the relevant professional background to deal with such specialised matters.

<sup>4</sup> The Board shall a pool of members consisting of a Chairperson, three (3) ordinary Members nominated by all Member Clubs, and three (3) ordinary Members nominated by the recognised national players' association. The ordinary Members of the Board shall not occupy any position within the Association, or any Member or affiliate thereof, and may not be active players, coaches or match-officials when appointed to the Board. In the case wherein during the term in which either of the Members of the Board starts occupying a position within the Association, or within one of its Members, or becomes an active player, coach or match-official, then such a Member shall automatically relinquish his/her seat on the Board and the Executive Board shall appoint another Member in his/her stead.

The Chairperson shall be appointed by agreement between the ordinary Members, acting in a proportionate and paired manner that is equally representative of Member Clubs on one hand and the recognised national players' association on the other, from amongst a pool of three (3) persons proposed by the Association. Provided that where such an agreement is not reached within the timeframe set by the General Secretary and communicated to the ordinary members, the Chairperson shall be appointed by the Executive Board and such decision shall be binding.

<sup>5</sup> The Board shall be assisted by the General Secretary of the Association or by a person nominated by the Executive Board to act as Secretary to the Board. The General Secretary or Secretary to the Board, as the case may be, may take part in the discussions but may not vote.

The Executive Board may also appoint a lawyer or a legal procurator to assist the Board in the performance of its duties.

<sup>6</sup> The quorum of the Board shall consist of three (3) Members, being the Chairperson, an ordinary Member who had been nominated by all Member Clubs, and an ordinary Member who had been nominated by the recognised national players' association.

<sup>7</sup> The Chairperson has both an original vote and a casting vote.

<sup>8</sup> During the first sitting of the season, the Board shall appoint two (2) Deputy Chairmen from the pool of persons appointed by the General Assembly. One (1) Deputy Chairperson shall be from those persons nominated by all Member Clubs, and the other Deputy Chairperson from those persons who had been nominated by the recognised national players' association.

- <sup>9</sup> a) Both the complainant and the party against whom a complaint or a request has been made, shall be informed of the complaint or request and of the date, time and place of the hearing at least six (6) days in advance. The parties to a case may renounce to this time-limit.
- b) If the complainant is not present at the hearing and does not show good cause for his absence up to the time of the hearing, his complaint or request shall be considered withdrawn and the Board may furthermore impose on the complainant a fine not exceeding fifty euro (€50). However, a complainant who withdraws his/her complaint, or whose complaint is considered withdrawn, may still re-submit the request or complaint provided that such request or complaint is not time-barred and provided that the other rules and regulations with regards to the filing of a request or complaint are observed.
- c) If the party against whom a complaint or request has been made is not present at the hearing and does not show good cause for his absence up to the time of the hearing, the Board may still proceed with the hearing and the Board may furthermore impose on such a party a fine not exceeding fifty euro (€50).
- <sup>10</sup> If during a hearing it results that any of the parties had committed an infringement of the rules of the Association, the Board has the duty to bring such matter to the attention of the General Secretary or the Executive Board as it may deem fit.
- <sup>11</sup> The Board is empowered to regulate its own procedure, provided that the rules and regulations of the Association are observed.
- <sup>12</sup> The Board has the power to deal with a complaint or request in accordance with the rules of the Association. These powers include those of releasing a player, coach, or other club personnel from all or part of the obligations he has with his Member Club either unconditionally or subject to those conditions as the Board may deem fit as well as that of awarding damages in the case that the complainant has suffered damages. However, no damages may be awarded against an amateur player for having decided to stop playing for his Club.
- <sup>13</sup> The Board shall also decide on whether the fee of the complaint or request is to be refunded to the player or coach or Member Club or whether it is to be retained by the Association as well as on the expenses of the case, which shall include the expenses of the lawyer or legal procurator nominated by the Executive board. In this latter case, the Board shall decide also which of the parties shall bear the expenses, and in case the expenses are to be shared between the parties, the share of the expenses which each party should bear.
- <sup>14</sup> In the case that a decision provides for the payment of an amount of money, the Board shall impose interest at the rate of five per cent (5%) per annum from the date of the decision of the Board and shall be due until the actual payment of such amount, provided that a request for interest has been made by the party making the claim in its complaint.
- <sup>15</sup> The Board may also prohibit such Club, for such time as the Board may deem fit, from registering or taking on loan any player without the prior approval of the Executive Board. Such a decision shall have immediate effect.
- <sup>16</sup> Whenever a Member Club fails to execute a decision of the Board, within the time-frame stipulated by the Board in its decision, and after all remedies available to the Member Club have been exhausted, the Chairperson of the Board, or the Deputy Chairperson in his absence, after receiving notice of failure of execution by the aggrieved party, shall put into effect the sanctions levied against the Member Club in the decision. Furthermore, the Chairperson shall also lift a prohibition whenever a Member Club sanctioned with such a sanction has effected payment.

In the case that the decision provides that a Member Club pays an amount of money, the Chairperson of the Board may order that the amount due be paid from any monies which may be due to the Member Club by the Association.

Where the liable party is a player, coach, official, intermediary, or other individual, the Chairperson of the Board, or the Deputy Chairperson in his absence, after receiving notice of failure of execution by the aggrieved party, shall put into effect the sanctions levied against the individual concerned in the decision or, in the absence of such sanctions, refer the matter to the Control, Disciplinary and Ethics Committee to take the disciplinary sanctions, including sporting sanctions, it deems fit.

<sup>17</sup> Fines decided by the Board under this article shall enter into effect only when all possible judicial remedies afforded to the parties are exhausted and the decision is final (*res judicata*).

<sup>18</sup> The Secretary of the Board shall send the decision of the Board to the interested parties as soon as practicable after the decision had been taken.

<sup>19</sup> Any party, who feels aggrieved by a decision of the Board may appeal to the Appeals Board of the Association. Filing of the petition of appeal, the procedure and the hearing of appeals are regulated by the rules relative to the Appeals Board established in this Statute.

<sup>20</sup> Unless an appeal has been lodged, the party concerned shall execute the decision of the Board within the time-limit established by the Board.

<sup>21</sup> If an appeal has been lodged, notwithstanding the provisions of the rules of the Appeals Board with regards to execution of decisions, the execution of the decision of the Board is suspended. If the Appeals Board confirms the decision of the Board, in fixing the time for the execution of the decision, it shall take into consideration the time which had elapsed between the date of the decision of the Board and the decision of the Appeals Board.

<sup>22</sup> The Executive Board or any other board or committee of the Association have no power to vary, revoke or annul any part of the decision taken by Complaints Board or the Appeals Board.

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Article **64** **Protests Board**

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<sup>1</sup> The Protests Board shall be competent to determine a protest lodged by a Member Club which had taken part in a competitive match organised by the Association and the Club requests either that the match in question be replayed or that the match in question is declared to have been won by the Club submitting the protest. However, a match which for any reason whatsoever was not played or which had been abandoned before the expiry of the time established in the Competition Rules of the Association shall not fall under the jurisdiction of the Board.

Furthermore, the Board shall be the only competent authority entitled to hear and determine protests that are based on a claim that a technical error had occurred during a competitive match officiated by a referee appointed by the Association and organised by the Association or any of its Members.

For the purpose of this Rule, a technical error is deemed to be one that constitutes a serious breach of the Laws of the Game and which may have had a determining influence on the outcome of the match played. Furthermore, in the case of a protest relating to the occurrence of a technical error, the request shall be that the match in question be replayed.

Amended:  
30.06.22

<sup>2</sup> a) The Board shall consist of a Chairperson and two (2) other members. However, in the case that the protest is based on a claim that a technical error had occurred, at least one (1) of the members of the Board must be current member of the Referees Committee of the Association.

There shall also be a Panel of Substitutes consisting of a number of members as the Executive Board may determine who shall substitute any members of the Board that for any reason whatsoever are unable to take cognisance of a case. At least two (2) of these members shall be from amongst the current members of the Referees Board of the Association.

b) The President of the Association shall fill any vacancies on the Board to hear and determine a case in the event that for any reason whatsoever the Board is unable to muster a quorum for a particular case.

c) The members of the Board hearing a protest shall have no connection whatsoever with the Clubs/Teams involved in the protest and/or any interest in the outcome of the protest.

d) In case that both the Chairperson and the Deputy Chairperson are unable to attend a sitting of the Board, the members present shall elect a Chairperson from amongst themselves.

e) i) Each party to the protest shall have the right to object once against a member of the Board. Such objection must be for a valid cause and the decision to uphold or reject the objection is decided upon by the Board.

ii) The fact that a member of the Board had been the Chairperson or the Deputy Chairperson or a member of the Board when a decision on a protest based on the same or similar facts and/or on the same rules on which the present protest is based was taken, shall not qualify as a valid cause for upholding an objection against a member of the Board.

iii) Any objection against any member of the Board shall be considered and decided upon at the beginning of the sitting and before anything else is decided with regards to the protest. Such decision shall not be subject to appeal and shall be final and binding.

iv) In the case that an objection against a member of the Board is accepted, even where the member objected to is the Chairperson, the Chairperson of the Board shall substitute the member objected to by another member from the Panel of Substitutes.

v) In order that the Board may consider an objection against a member of the Board or against a member in the Panel of Substitutes, the objection must have been made, in the case of the protesting party by means of a letter to be filed together with the protest, and in the case of the party against whom the protest is made, by means of a letter to be filed with the Secretariat of the Association by not later than the day previous to the day fixed for the hearing of the protest.

<sup>3</sup> The quorum of the Board shall be three (3) members, including the Chairperson. The Chairperson has both an original vote and a casting vote. However, in the case that the protest is based on a claim that a technical error had occurred, at least two of the members present must be current members of the Referees Board of the Association.

The Board shall be assisted by the General Secretary of the Association or by another person nominated by the Executive Board to act as a Secretary to the Board. No party to the protest may object to the General Secretary or the Secretary of the Board. The General Secretary or the Secretary to the Board, as the case may be, may take part in discussions, but may not vote.

Amended:  
30.06.22

<sup>4</sup> A protest made by a Club shall be null and void unless the protest:

a) is made in writing and contains the facts and the relevant rules and/or regulations upon which it is founded; and

b) is filed with the Secretariat of the Association in the manner established by the Executive Board; and

c) is filed within two (2) working days from the date on which the relative match was played if the next match in the same competition of the teams involved in the relative match is scheduled to be played five days or more after the relative match or on the following working day after the relative match if the next match in the same competition of any of the teams taking part in the relative match, had been prior to the taking place of the relative match, scheduled to be played on a date which is more than one (1) day but less than five (5) days after the date of the relative match; and

d) is accompanied by a deposit of the applicable fee which is determined by the Executive Board from time to time.

The nullity of a protest for failure on the part of the protestant to comply with any of the foregoing conditions shall be decided by the Chairperson of the Board, or if he is unable to take cognisance of the protest, by the Deputy Chairperson of the Board, sitting alone and without inviting any of the parties to a hearing. In this case, the decision shall be given "in camera". In this case also, the Chairperson shall decide with regards as to whether the deposit, if made, shall be forfeited or refunded in whole or in part.

<sup>5</sup> Upon the receipt of a protest, the General Secretary shall immediately send a copy of such protest to the Chairperson of the Board, or if he is unable to take cognisance of the case, to the Deputy Chairperson of the Board, and another copy to the Club/Team involved in the match about which the protest has been made.

<sup>6</sup> a) The Chairperson, or if he is unable, the Deputy Chairperson, or if he is unable, the General Secretary, shall as soon as possible after the filing of the protest, fix a sitting of the Board for the hearing and determination of the protest unless the Chairperson or the Deputy Chairperson, as the case may be, decides that the protest is invalid for failure by the protestant to comply with any of the conditions mentioned in sub-article 4 above.

The date shall not be earlier than two (2) days after the filing of the protest, but as early as possible after such a date. However, in the case of a protest which has to be filed on the following working day after the match, then the date of the hearing of the protest shall be as early as possible. In all cases, consideration shall be given to the exigencies of the competitions of the Association or the Member Association concerned.

b) The date, time and place of the hearing shall be notified to the other Members of the Board and to the parties involved in the match about which the protest has been made at least twenty-four (24) hours before the time fixed for the hearing.

c) The time limits mentioned in this clause may be waived if the parties involved in the protest give their assent.

<sup>7</sup> a) The Board is empowered to regulate its own procedure and is empowered to hear not only that evidence which is produced by the parties involved in the protest, but also other evidence which it may deem relevant.

b) The parties involved in the protest shall take care to produce all the evidence at the sitting fixed for the hearing of the protest. The Board may allow postponements for the hearing of evidence or the production of documents only in exceptional circumstances and provided that such a postponement would not interfere with the regular running of the competitions of the Association or of the Member Association concerned.

- <sup>8</sup> a) Any other Club/Team which deems that it may be prejudiced by the outcome of a protest, shall be entitled to ask the Board to allow it to be present at the hearing, to produce evidence and/or documents and to make submissions as to why the protest should not be upheld and to explain the extent of the prejudice it will suffer if the protest is upheld.
- (b) Such request shall be made by means of a written application to be signed by the President or Secretary or Treasurer of such Club/Team or by any of their respective assistants. The application shall contain an explanation about the alleged prejudice and shall be filed with the Secretariat of the Association accompanied by a deposit of the applicable fee which is determined by the Executive Board from time to time.
- (c) In case that the Board disallows the request, the Board shall decide whether to order the refund or forfeiture in full or in part of the deposit. In case that the Board allows the application, the deposit shall be refunded in full.
- (d) The Board shall decide whether to allow such request before starting to hear evidence and submissions on the merits of the protest. Also in this regard the Board is empowered to regulate its own procedure. Any decision of the Board in this regard and as regards the refund or forfeiture of the deposit in full or in part shall be not be subject to appeal and shall be final and binding.
- (e) In case that the Board allows such request, the Club/Team shall be allowed to produce evidence and/or produce documents as well as to make submissions both with regards to the merits of the protest and with regards to the extent of the prejudice it will be suffering if the protest is upheld.
- <sup>9</sup> The Chairperson shall ensure that all the parties involved in a protest are given a fair hearing.
- <sup>10</sup> The Chairperson may, in his discretion, allow anybody else to attend as observers or exclude them from a sitting. Observers shall not be allowed to speak.
- <sup>11</sup> a) The Board shall deliberate on the case and give its decision "in camera" as soon as possible after the closing of the case by the parties to the protest. The decision shall be in writing and shall be signed by the Chairperson.
- b) In the case of a protest which is based on a claim that a technical error had occurred, the Board shall only accept the protest if it is satisfied that such a technical error had occurred and that such technical error is deemed to have constituted a serious breach of the Laws of the Game which may have had a determining influence on the outcome of the match played. If the Board accepts such protest, the Board shall order that the match be replayed.
- c) The deposit made with the protest shall be refunded if the protest is upheld. The deposit shall be refunded or forfeited in whole or in part at the discretion of the Board if the protest is not upheld.
- d) The deposit made by an interested third party Club shall be refunded if the Board deems that such party was correct in intervening. Such deposit shall be refunded or forfeited in whole or in part at the discretion of the Board if the Board deems that such party was not correct in intervening.
- <sup>12</sup> a) In the case of protest made by a Member Club, irrespective whether the Board upholds the protest or not, if it emerges that any Club involved in the protest had committed an irregularity in connection with the relative match, the Board shall further deal with the offending Club/s in accordance with the relevant provisions of the Competition Rules and the other rules and regulations of the Association, even if the Club/s concerned had not been formally charged with having committed such irregularity.
- b) In the case that disciplinary measures are meted out, these shall form an integral part of the decision of the Board.



- c) If, in the opinion of the Board, the favourable outcome of a protest to the protesting Club may damage the interest of a third party Club, for the purpose of punishment in accordance with sub-article (a) above, such an outcome would be deemed to be an aggravating circumstance against the Member Club which loses the protest unless the Board deems that the irregularity committed was due to a genuine mistake or through an oversight.
- d) Furthermore, if in the opinion of the Board, any Committee Member or any other person performing an official duty on behalf of a Member Club, any player or any other person subject to the jurisdiction of the Association may be found guilty of having committed an irregularity, the Board shall refer the matter to the Executive Board for any further action it may deem fit to take. However, failure on the part of the Board to make any such reference, shall not prevent the Executive Board from taking further action.
- e) If in the opinion of the Board a frivolous or irresponsible protest has been lodged, besides the automatic forfeiture of the deposit in favour of the Association, the Board shall also impose a fine not exceeding five hundred euro (€500) on the Club which had filed such a frivolous or irresponsible protest.
- f) The General Secretary shall, by not later than one (1) working day after the Board gives its decision, notify such decision to the parties involved in the protest. The General Secretary shall also inform the Executive Board of any recommendations that the Board makes to it. The General Secretary may also send a copy of such decision or an extract of such decision to the media.
- <sup>13</sup> No appeal shall lie from any decision of the Board. All the decisions of the Board are final and binding on all parties concerned

## VII. DISCIPLINARY MEASURES

### Article **65** Powers of the Disciplinary Bodies of the Association

<sup>1</sup> The Disciplinary Bodies of the Association shall have the power to deal with all offences committed against the provisions of this Statute and the other rules, bye-laws and regulations of the Association or against the Laws of the Game or against those bodies or individuals on which it has jurisdiction and which had brought the game of association football or the Association into disrepute, and to inflict those penalties which they are entitled to inflict against the party found guilty. These powers are also vested in those other bodies of the Association which according to the rules of this Statute and according to the other rules, bye-laws and regulations of the Association are empowered to adjudicate offences.

<sup>2</sup> In the case of disciplinary proceedings before a competent body of the Association related to offences connected with matches, besides the report or reports of the Match Officials, and besides the report or reports of the Referee Observer of the match concerned, other evidence, including video evidence, may be used, provided that in the case of video evidence, the relative body of the Association, is satisfied that the video produced in evidence is genuine. However, video evidence may only be used:

a) for the purpose of rectifying a caution (yellow card) or a sending off (red card) in the case of an appeal from a decision of the Disciplinary Commissioner on a plea of mistaken identity, or for the purpose of mitigating the punishment inflicted in the case of an appeal from a decision of the Disciplinary Commissioner on a plea of excessive punishment inflicted but only in the case that the punishment inflicted by the Disciplinary Commissioner exceeded a period suspension of one month or a suspension for two (2) matches; and

b) to establish an offence or offences amounting to gross unsporting behaviour committed during a match by a player or by any other person who was officially entitled to sit on the Reserves Benches during a match or by another person performing an official function during a match, and which behaviour the Match Officials did not notice, and consequently, with regards to such behaviour, the referee of the match did not take any action and report, and/or which behaviour, the Referee Observer of the match did not report; and

c) to establish an offence or offences amounting to gross unsporting behaviour committed by supporters, and which behaviour neither the Match Officials nor the Referee Observer of the match did report.

In the case of gross unsporting behaviour committed by a player or any other person officially entitled to sit on the Reserves Benches or by any other person performing an official function during the match or by supporters, and which behaviour the Match Officials did not notice and therefore about which the referee did neither take any action nor submitted a report, but which offence or offences could nevertheless be established by other means, including the Referee Observer's report and/or video evidence, the General Secretary shall be entitled to instruct the Prosecutor of the Association to issue a charge based on such other means, including video evidence, against those responsible for the commission of such offence or offences. Such a charge shall be dealt with by that body of the Association which is competent to deal with such an offence as if such offence had been reported by the referee of the Match and this in accordance with the procedure applicable to the offender as stipulated in the relevant provisions of this Statute and in the other rules, bye-laws and regulations of the Association.

**Article 66 Penalties that may be inflicted**

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<sup>1</sup> In the event that a Member of the Association, or any of its affiliates, or any other person subject to the jurisdiction of the Association, is found guilty by a competent body of the Association of a violation of the provisions of this Statute or the other rules, bye-laws and regulations of the Association, or of the Laws of the Game, or of any misconduct which had brought the game of association football into disrepute, the relative competent body of the Association shall have the power to punish the party found guilty with removal from the Association, or with a suspension for a stated period of time, or with a fine, or with a caution or with any such other penalty as such body may deem fit.

Provided that, except in the case of a fine or a caution or where otherwise specifically excluded by the regulations of the Association, the relative competent body of the Association may order that any such penalty shall be suspended for a stated period of time on condition that if such party is again found guilty - during such stated period - of committing the same or a similar offence, such penalty would come into force as from the date on which the party is again found guilty.

The relative competent body of the Association may inflict more than one of the above-mentioned penalties for the same offence.

<sup>2</sup> Fines imposed by a competent body of the Association shall be paid, in the case of individuals, within fifteen (15) days, and in the case of Member Clubs, Member Associations, Registered Clubs, Associated Clubs and Affiliated Associations, within sixty (60) days from the date of notice informing of the infliction of such penalty, and in the case that a valid appeal had been filed, from the date that such decision becomes final and binding, provided that the time limit for payment may for a good reason be extended by the Executive Board and in which latter case, the fine shall be paid within such new time limit as decided by the Executive Board.

Failing the payment of a fine within the statutory or extended time limit, the competent body shall have the power to suspend or otherwise deal with the defaulting party as it may deem fit.

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## VII. RIGHT OF REDRESS AND JURISDICTION

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### Article **67** Right of redress

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<sup>1</sup> Wheresoever any member, or any of its members or affiliates, shows through a written petition to the Appeals Board, that it has a prima facie claim against any other member, or a member or affiliate thereof, or against the association, or a body, affiliate or official thereof, and also proves to the satisfaction of the Appeals Board that such member, or any of its members or affiliates, does not have or has never had an adequate remedy through the procedures of the association or through the Court of Arbitration for Sports, the Appeals Board may grant permission to the petitioning party to seek justice before a tribunal that is external to the Association.

The Appeals Board may not grant permission to any members to file any precautionary warrant, as defined in article 829 of Chapter 12 of the Laws of Malta, or any other similar instrument.

Any member, or member or affiliate thereof, or any person who in any manner whatsoever falls under the jurisdiction of the Association that pursues any legal action, including civil and/or criminal legal action, against any member, or any member or affiliate thereof, or against the association, or any body, affiliate or official thereof, on matters relating to football or arising therefrom or connected therewith without petitioning the Appeals Board as provided above, or after having had such petition refused, shall automatically cease to belong to the association.

<sup>2</sup> Members, or members or affiliates thereof, or persons that are registered with or otherwise subject to the jurisdiction of the MFA, are also precluded from taking civil legal action against each other or against the management and/or the proprietor of the stadium or ground where competitive matches are played without the permission the Appeals Board as determined in this Article. In default, such party shall cease to belong to the Association as from the moment such legal action is initiated.

<sup>3</sup> Matters dealing with corruption as contemplated in the Prevention of Corruption in Sports Act – Chapter 593 of the Laws of the Republic of Malta and actions for libel, are exempt from the provisions of sub-articles (i) and (ii) above.

<sup>4</sup> Disputes of international dimension arising from or related to the Statutes, regulations, directives and decisions of FIFA or UEFA may only be submitted in the last instance to CAS as specified in the Statutes of FIFA and of UEFA.

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### Article **68** Jurisdiction

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<sup>1</sup> The Association shall have exclusive jurisdiction on internal national disputes, namely disputes between parties belonging or affiliated to it.

<sup>2</sup> FIFA and/or UEFA shall have jurisdiction on international disputes, namely disputes between parties belonging to different associations and/or confederations, in accordance with the relevant regulations.

<sup>3</sup> Without prejudice to any specific regulation, limiting or regulating jurisdiction, the Malta FA shall ensure its full compliance and that of all those subject to its jurisdiction with any final decision passed by a FIFA body, a UEFA body, or CAS.

4 An appeal against the decision of the Appeals Board may be filed with CAS if the Appellant has exhausted the remedies available to it within the Association prior to the appeal, in accordance with this statute or other regulations.

## VIII. FINANCE

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### Article **69** Financial period

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- <sup>1</sup> The financial period of the Malta FA shall be one year and shall begin on the 1<sup>st</sup> January and end on the 31<sup>st</sup> December.
- <sup>2</sup> The revenue and expenses of the Malta FA shall be managed so that they balance out over the financial period. The Malta FA's major duties in the future shall be guaranteed through the creation of reserves.
- <sup>3</sup> The Malta FA shall ensure that it is fully compliant with all money laundering regulations and thereby is obliged to disclose to authorities any business which breaches such rules and regulations.
- <sup>4</sup> The Treasurer is responsible for drawing up the annual consolidated accounts of the Malta FA with its subsidiaries as at the 31<sup>st</sup> December. The accounts of the Association shall be closed annually.
- <sup>5</sup> A budget of income and expenditure shall be prepared for each financial year by the Treasurer of the Association. This shall be approved by the Executive Board before the end of the current financial year. Supplementary and/or extraordinary expenditure not included in the budget shall be authorised by the Executive Board by way of supplementary credits.
- <sup>6</sup> Books of Accounts shall be kept by the Treasurer. The Treasurer of the Association shall ensure that true accounts are kept of all the receipts and payments of the Association.
- <sup>7</sup> The Executive Board may from time to time approve those financial regulations which it may deem fit.

### Article **70** Revenue

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The revenue of the Malta FA comprises:

- a) Members' annual subscriptions;
- b) receipts generated by the marketing and exploitation of rights to which the Association is entitled;
- c) fines imposed by the authorised bodies;
- d) other subscriptions and receipts in keeping with the objectives pursued by the Association;
- e) ticket sales, sponsorships and donations;
- f) any other revenue related to football activities;
- g) funding from FIFA and from UEFA.

### Article **71** Expenses

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The Malta FA shall bear:

- a) the expenses stipulated in the budget;
- b) other expenses approved by the General Assembly and expenses that the Executive Board is entitled to incur within the scope of its authority;
- c) all other expenses in keeping with the objectives pursued by it.

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Article **72** **Independent and external auditors**

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<sup>1</sup> The independent and external auditors appointed by the General Assembly shall audit on a yearly basis the accounts approved by the Finance Committee in accordance with the appropriate principles of accounting and present a report to the General Assembly convened between the 15th March and the 15th April. The independent and external auditors shall be appointed for a period of two years. Their mandate may be renewed.

<sup>2</sup> The auditing of the finances of the Association shall be made by a Certified Public Accountant and Auditor or by a company of Certified Public Accountants and Auditors. Such person or company shall be known as the "External Auditor of the Association".

The External Auditor of the Association is independent of the Association and shall be appointed by the General Assembly taking place between the 15th March and the 15th April for a period of one year on the proposal of the Executive Board. The External Auditor of the Association shall be eligible for re-appointment.

<sup>3</sup> The Treasurer shall ensure that a printed abstract of the audited accounts is sent to all Members for the coming season at least seven (7) days before the date scheduled for the General Assembly convened between the 15th March and the 15th April.

<sup>4</sup> The Treasurer shall present the audited accounts and balance sheet of the Association at the General Assembly for the approval of the Members of the Association.

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Article **73** **Internal Auditing of the Finances of the Association**

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<sup>1</sup> The Association shall have a body which shall be competent to carry out an internal audit of the finances of the Association. The internal audit of the finances of the Association shall be carried out by a Board of Internal Auditors.

<sup>2</sup> The Board shall be appointed by the Executive Board at the beginning of the term of Ordinary Members. The Members of the Board shall not be Officers of the Association nor Members of the Executive Board. One of these members shall be elected as the Chairperson of the Board.

<sup>3</sup> The members of the Board shall be elected for a period of two years but their appointment may be renewed for a further year. However, no member of the Board may serve as a member of the Board for more than three consecutive years.

<sup>4</sup> The members of the Board shall have the right to inspect the financial books as well as any other transaction or document dealing with the finances of the Association and to check whether the financial regulations which may be in force are being followed.

<sup>5</sup> The Officers of the Association and the employees of the Association shall render their assistance to the Board as the Board may require.

<sup>6</sup> In case that the Board finds irregularities or is not satisfied with the explanations that it receives, it shall have the right to make a written report to the Executive Board of the Association and shall send a copy of such report to the External Auditor of the Association.

Where the Board submits a report to the Executive Board in terms of the sub-article above, the President shall present such report to the Executive Board at the first opportunity. The members of the Board shall be entitled to be present at the meeting during which this report is discussed by the Executive Board.

<sup>7</sup> The Chairperson and any other member of the Board shall not, without the express authorisation of the President or the Executive Board, divulge in any manner whatsoever any information relating to the finances of the Association and/or the contents of any document of the Association which has come to his/her knowledge or in his/her possession because of his/her office. Before starting to perform their duties, the Chairperson and the other members of the Board shall be required to sign a written declaration by which they accept to maintain confidentiality towards information obtained during the performance of their duties. The form of such a written declaration shall be set by the General Secretariat.

Any member of the Board who breaches the provisions of clause (a) above shall be guilty of breach of trust against the Association.

If the President deems that a breach of trust has occurred, he shall be entitled to bring before the Executive Board a motion of no confidence in such a member for breach of trust. The Executive Board may refer the matter to the Control, Disciplinary and Ethics Committee.

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Article **74** **Membership subscriptions**

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<sup>1</sup> Membership subscriptions are due on the 15<sup>th</sup> January of every year. The annual subscription for new Members for the year in question shall be paid within 30 days of the close of the General Assembly at which they are admitted.

<sup>2</sup> The Executive Board shall fix the amount of the annual subscription every three [3] years on the recommendation of the Finance Committee. It shall be the same for every Member.

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Article **75** **Settlement**

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The Association may debit any Member's assets and accounts to settle and/or set off any claims. It may also demand that a levy be paid by its Members for matches or other services.

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Article **76** **Publication of financial data**

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- <sup>1</sup> The Association shall publish on its official website the financial documents once these have been approved by the General Assembly.
- <sup>2</sup> The remuneration of the members of the Executive Board (including its President), the General Secretary and the members of the independent committees shall also be made publicly available.

## IX. COMPETITIONS AND RIGHTS IN COMPETITIONS AND EVENTS

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### Article **77** Competitions

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<sup>1</sup> The Association shall organise and manage the National League as well as those other official competitions held within its territory as determined by the Executive Board, which shall enact the necessary regulations that govern such competitions.

<sup>2</sup> Additions and/or alterations to the Competition Rules or to the particular rules of competitions made after the first Monday in June shall not come into force at least until the end of the coming or current football season, as the case may be, during which they are approved. This rule need not be followed if the General Assembly of the Association, with at least two-thirds (2/3) majority, decides otherwise.

<sup>3</sup> Notwithstanding the provisions of sub-article (b) above, in the case of existing competitions, rules which may in any way effect promotion and/or relegation issues shall not come into force at least until the commencement of the second football season following the coming or current football season, as the case may be, during which they are approved. This rule need not be followed if the General Assembly of the Association, with at least two-thirds (2/3) majority, decides otherwise.

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### Article **78** Rights

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<sup>1</sup> The Malta FA is the original owner of all of the rights emanating from competitions and other events coming under its jurisdiction, without any restrictions as to content, time and place. These rights include, among others, every kind of financial rights, audio-visual and radio recording, reproduction and broadcasting rights, multimedia rights, marketing and promotional rights and incorporeal rights such as emblems and rights arising under copyright law or other intellectual property law.

<sup>2</sup> The Executive Board shall decide how and to what extent these rights are utilised and shall draw up special regulations to this end. The Association shall ensure that the sale of such rights is carried out in a transparent manner and in compliance with its Statutes and regulations as well as mandatory national laws.

<sup>3</sup> The acceptance by any person to register, affiliate, or hold a position within the Association, including as a player, official, or match official, or any of the Association's members implies that such person is subject to the jurisdiction and to all the rules, bye-laws and regulations of the Association and of those other international organisations of which the MFA may be a member. Furthermore, such acceptance implies that any such person gives his/her unconditional consent to the Association to store and process the information required by the Association about him/her in a manner that is compliant with applicable legislation, that the Association may share this information with its employees, Members and other individuals and organisations as may be deemed necessary and that the Association may continue to keep such information until any such person informs the Association in writing of his/her resignation from his/her position within the Association or as an affiliate of any of its members.

Article **79** **Authorisation to distribute**

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<sup>1</sup> The Association is exclusively responsible for authorising the distribution of image and sound and other data carriers of football matches and events coming under its jurisdiction, without any restrictions.

## X. INTERNATIONAL MATCHES AND COMPETITIONS

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### Article **80** International matches and competitions

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<sup>1</sup> The authority for organising international matches and competitions between representative teams and between leagues, club teams and/or scratch teams lies solely with FIFA, the confederation(s) and/or the association(s) concerned. No such match or competition shall take place without the prior permission of FIFA, the confederation(s) and/or the association(s) concerned in accordance with the FIFA Regulations Governing International Matches.

<sup>2</sup> The Malta FA is bound by the international match calendar compiled by FIFA.

<sup>3</sup> Members and their affiliates shall have the right to invite a foreign team to play a match or matches within the territory of the Republic of Malta or play against a foreign team within the Republic of Malta, or play abroad, provided that such Member Clubs receive prior authorization from the General Secretary of the Association.

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### Article **81** Contacts

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<sup>1</sup> The Malta FA, its Members, players, officials, licensed match agents and intermediaries may not play matches or make sporting contacts with associations that are not members of FIFA or provisional members of a confederation without the approval of FIFA.

<sup>2</sup> Clubs, leagues or any other group of clubs that are affiliated to the Malta FA may only join another association, any other league or other group of clubs, with the authorisation of the Malta FA, the other association, the respective confederation(s) and FIFA.

<sup>3</sup> Clubs, leagues or any other group of clubs that are affiliated to the Malta FA cannot participate in competitions on the territory of another association without the authorisation of the Malta FA, the other association, FIFA and the respective confederation(s) according to the FIFA Regulations Governing International Matches.

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### Article **82** Approval

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<sup>1</sup> Clubs, leagues or any other group of clubs that are affiliated to the Malta FA may only join another association with the authorisation of the Malta FA, the other association, the respective confederation(s) and FIFA.

<sup>2</sup> Clubs, leagues or any other group of clubs that are affiliated to the Malta FA cannot participate in competitions on the territory of another association without the authorisation of the Malta FA, the other association, FIFA and the respective confederation(s) according to the FIFA Regulations Governing International Matches.

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## XI. MEMBER CLUBS, PLAYERS AND COACHES

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### Article **83** Member Clubs and Member Associations

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<sup>1</sup> Member Clubs, Member Associations, and their respective members are only allowed to take part in association football activities and to attend football matches on condition that they observe the rules, bye-laws and regulations of the Association.

<sup>2</sup> Member Clubs and Member Associations are required to enforce such rules, bye-laws and regulations.

<sup>3</sup> A Member Club, Member Association, and/or any of their affiliates is responsible towards the Association for the action of its players, officials and supporters and is required to take all precautions necessary to prevent these from disrupting football matches and from threatening or assaulting officials and players during or at the conclusion of matches.

<sup>4</sup> Member Clubs, Member Associations and their affiliates, including individual members of Clubs' or Teams' Management Committees, have the duty to report directly to the General Secretary of the Association all cases of bribery or attempted bribery in connection with football matches as well as those other cases of misconduct which are likely to bring the game of association football into disrepute. Failure by a Member Club or by an individual member of a Clubs' Management Committee to report such cases shall be deemed a very serious offence.

<sup>5</sup> A Member Club, a Member Association or their respective affiliates shall not play against a club or a team which had been suspended by the Association or against a club or a team which is not recognised by this Association.

<sup>6</sup> Whenever a charge is preferred by the Executive Police against a member of a Member Club, Member Association, or any of their respective affiliates, including players, coaches, and officials, for offences committed against officials and/or players within the precincts of a stadium/ground, or in connection with corruption in football activities, or in connection with betting on domestic football match/es, the Member Club concerned must immediately make a report in writing about the case to the General Secretary of the Association. Failure by a Member Club or a Member Association or any of their respective affiliates to make such a report shall be deemed to be a very serious offence.

<sup>7</sup> A Member Club, a Member Association, and/or any member/s or affiliates thereof shall not:

(a) offer either directly or indirectly any consideration whatsoever to another Club with a view to procure the withdrawal of a Club from a competition;

(b) accept any consideration to cause the withdrawal of his/their Club from a competition;

(c) offer directly or indirectly any consideration whatsoever to any Official of the Game, other Club, player/s of his/their Club or of any other Club, with intent to change in an unsporting manner the normal course or the result of the match;

(d) accept any consideration to cause a change in the normal course or the result of a match;

(e) bet on any football match which takes place within the territory of the Republic of Malta or any other match in which their Club is involved;

(f) use objectionable language.

In the cases mentioned in Paragraphs (a), (b), (c) and (d) above, if the person committing the offence is a member of a Member Club's Management Committee and the attempted or committed offence could have or actually had any influence on any match in which such a Club is due to take part or in which had actually taken part, or on any other match the result of which could have actually had any influence on the position of such Club, then such Club would be held fully responsible for the offence and punished in accordance with the provisions of the following sub-article below.

<sup>8</sup> Whenever it is proved to the satisfaction of the competent bodies of the Association that a Member Club, a Member Association, or any of their respective affiliates, is directly or indirectly involved in a case of corruption or of betting, the Member Club, Member Association, or respective affiliate concerned shall be held responsible and shall be punished either with removal from the Association, or with a period of suspension, or with relegation to a lower division, or with both, or in any other manner in which the Association deems fit, according to the gravity of the case, as the case may be. Such sanctions shall, in no case, be suspended.

#### *Clubs' and Member Associations' Management Committees*

<sup>9</sup> a) The management of Member Clubs shall be entrusted to a Management Committee or Board which shall be constituted and organised in accordance with those rules which the Executive Board may make for Member Clubs.

b) The members of a Member Club's Management Committee or Board shall be subject to the approval of the Executive Board. The Executive Board may refuse to give its approval to any person to be a member of a Member Club's Management Committee and shall have no obligation to reveal the reason(s) for such decision.

The Executive Board may delegate the screening of Member Clubs' Management Committees or Boards to the General Secretariat of the Association.

c) Once a person has been approved by the Executive Board as a member of a Member Club's Management Committee or Board and such person resigns, for all intents and purposes of the rules of the Association, such person will be still considered to be a member of his Member Club's Management Committee or Board until his resignation has been approved by the Executive Board.

Nothing in this article shall preclude the competent bodies of the Association from inflicting penalties on a person for any misdemeanour which he had committed at the time when he was still a member of a Member Club's Management Committee or Board.

The approval by the Executive Board of a person as a member of a Member Club's Management Committee or Board implies that such a person shall be subject to the jurisdiction and to all the rules, bye-laws and regulations of the Association and of those other international organisations of which the Association may be a member.

d) A Club's General Assembly for the election of the Management Committee or Board shall be held after the Club's season commitments are completed but not later than the date established in the relevant regulations which the Executive Board may approve for Member Clubs.

e) Each Member Club shall forward to the General Secretary of the Association the details of the members composing their Management Committee or Board in the form and within the deadline prescribed by the General Secretary. Member Clubs must give all such correct information as is required.

f) The General Secretary of the Association shall be immediately informed of any subsequent changes in the list of a Club's Management Committee.

g) When a member of a Member's Club Management Committee is suspended from all association football activities or removed by the Association, his post on the Club's Management Committee is immediately vacated. Such person shall not be eligible to sit on the Management Committee of any Member Club or on the Committee of a Club of a Member Association or any other affiliate and shall not be allowed to take part in association football or association football management until his suspension has expired or is lifted or unless the decision of his removal is lifted.

The provisions of this sub-article (9) shall apply mutatis mutandis to Member Associations.

#### *Delegates of Member Clubs and Member Associations*

<sup>10</sup> A Member Club shall appoint a delegate and a substitute delegate to represent it during the General Assembly and to represent it at other meetings of the Association.

Such appointments are to be made as prescribed by the General Secretary of the Association at least twenty-five (25) days prior to the General Assembly of the Association taking place between the 15th July and the 15th August.

A person may only be admitted to act as a Delegate at a General Assembly of the Association if s/he has received the approval of the Executive Board at least twelve (12) days prior to the General Assembly. However, if no Executive Board Meeting is held for this purpose between the twenty-eighth (28th) and the twelfth (12th) day prior to the General Assembly, all persons nominated within the time limit in the foregoing sub-article would be deemed to have been approved unless such persons had been officially excluded to serve as delegates or were prohibited by the Association, FIFA or UEFA from taking part in active football.

Any reference to the Delegate shall be understood to refer also to his Substitutes.

After having been approved by the Executive Board, these appointments may not be changed except on serious and grave grounds to the satisfaction of the Executive Board.

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## Article **84** **Players**

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<sup>1</sup> Players are only allowed to take part in football matches under the jurisdiction of the Association and/or FIFA and/or UEFA on condition that they observe the rules, bye-laws, regulations and decisions of the Association, FIFA and UEFA and on condition that they observe the Laws of the Game.

<sup>2</sup> Any person may register as a player with a Member Club and/or a Club/Team of a Member Association provided that the other rules of the MFA allow such a registration and such other rules are observed.

The format and contents of registration forms are established by the General Secretary. In the case of a player who has not attained his sixteenth birthday the registration form must provide for the signature of the legal guardian of such a player signifying his assent to such registration.

The registration forms of Member Associations shall be established by the Member Associations themselves but shall be subject to the approval of the General Secretary of the MFA.

<sup>3</sup> Apart from the Malta FA, only the Gozo FA may register with it a professional player for the first time as long as such a player is at least sixteen years old. Provided that such registration shall be in accordance with the regulations of the Malta FA.

<sup>4</sup> A player cannot register for:

- a) A Club affiliated with the Gozo FA if he is registered with a Member Club or, if he is so registered, unless he has been given a free release or transferred or given on loan.
- b) A Member Club if he is registered with a Club affiliated with the Gozo FA or, if he is so registered, unless he has been given a free release or transferred or given on loan.

<sup>5</sup> Registrations of amateur players and registrations and agreements of non-amateur players with Clubs affiliated with the Gozo FA, as well as releases, transfers and loans of players to or from Clubs affiliated with the Gozo FA, including relative compensation in accordance with the rules of the Association relating to transfer of players, shall be made as follows:

- a) In accordance with the provisions relating to the National Amateur League Member Clubs for those clubs competing in the Gozo FA Second Division League.
- b) In accordance with the provisions relating to Challenge League Member Clubs for those clubs competing in the Gozo FA First Division League.

In so far as agreements of non-amateur players with Clubs affiliated with Gozo FA are concerned, the Malta FA shall recognise only those agreements which have been duly filed with the Gozo FA either by the player or by the Club.

<sup>6</sup> In the case of a suspended Member Club, if the suspension does not extend beyond the end of the season during which the suspension is inflicted, the players of such Club shall remain registered with such Club. Otherwise, the provisions of the next sub-article shall apply.

In the event that a Member Club is disbanded either voluntarily or by a decision of the Association which is final and binding, the players registered with such Club may, subject to the other rules of the Association, register and play for any other Club.

The Complaints Board, upon request of the interested party, shall be competent to decide on any question relating to any compensation which may be due to professional players and/or other creditors of such Club as well as on any compensation which may be due by a registering Member Club in relation to such players.

<sup>7</sup> Players shall not play for or against the team of a Club which has been suspended by the Association or by an international organisation of which the Association is a member. Nor shall players play against any local Club or team which is not recognised by the Association.

<sup>8</sup> Players shall not bet on any local football match or on any other match in which they have been called to take part even if they actually do not take part.

<sup>9</sup> Players shall not offer, either directly or indirectly, any consideration whatsoever to anybody whomsoever with the intention of changing the normal course of a football match or the result of such a match.



<sup>10</sup> Players shall not accept, either directly or indirectly, any consideration whatsoever from anybody whomsoever with the intention of changing in an unsporting manner the normal course of a football match or the result of such a match.

<sup>11</sup> Players have the duty to inform immediately the General Secretary of the Association if they are approached by anybody whomsoever with the intention of influencing them to change in an unsporting manner the normal course of a football match or the result of such match. In reporting such matter they must give all the details available.

<sup>12</sup> When a criminal charge is preferred by the Executive Police against a player in connection with his/her participation in any activity connected with association football, such player must immediately report this fact to the General Secretary of the Association and to the President or Secretary of his Club. In making such report the player must furnish all details of which he is aware in connection with the charge.

<sup>13</sup> Players shall submit themselves to the jurisdiction of the Association and to the jurisdiction of FIFA.

<sup>14</sup> a) Suspension of players shall become operative from the moment the suspension is inflicted by the competent disciplinary body of the Association or as from such time as the competent body of the Association may decide and shall not expire until the day mentioned in the decision unless such suspension is lifted before by the competent organ of the Association.

b) If a player, duly summoned to answer a charge, fails to appear before a disciplinary or any other body of the Association, such body summoning him/her may decide the case in his/her absence.

c) During a period suspension, a player cannot enter into a new agreement and/or register for another Member club. However, s/he may enter into a new or a subsequent agreement with his/her club.

d) A period suspension of a player shall be deemed a suspension from those football activities as mentioned in the rules and regulations of the Association and in default as may be decided by the competent body of the Association which had imposed the suspension.

<sup>15</sup> A player who has been removed from the Association shall not be eligible for membership with a Member Club or with a Club of a Member Association. Moreover, such a player may not take part in any manner whatsoever in any activity connected with association football held under the jurisdiction of the Association.

<sup>16</sup> Proposals for the granting of an amnesty to players may receive the consideration of the Executive Board if a period of at least two years has elapsed from the last amnesty.

Notwithstanding the above, players removed from the Association shall not be re-instated unless such a reinstatement is approved by a majority of two-thirds (2/3) of the members present and entitled to vote at a General Assembly of the Association.

An amnesty cannot be given for fines.

Players removed from the Association for reasons of bribery and/or corruption shall not be reinstated under any circumstances whatsoever.

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**Article 85 Youth football**

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<sup>1</sup> The Executive Board shall have the power to approve those regulations which it deems fit to give official recognition to football nurseries catering for the training of young football players.

<sup>2</sup> For a Football Nursery to be recognised by the Malta Football Association and to operate under the jurisdiction of the Association it must have a licence issued by the Association recognising its status. The license shall only be valid for one year.

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**Article 86 Intermediaries**

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<sup>1</sup> The Association shall only recognize as an intermediary a person who is duly licensed by the Malta Football Association or by a foreign national football association to act in this capacity.

<sup>2</sup> Only natural persons may be granted a licence to act as a players' agent.

The Executive Board shall regulate the granting of licences to intermediaries, their activity, including their rights and obligations, and the sanctions that may be imposed upon them, as well the rights and obligations of players and Member Clubs that make use of the services of licensed intermediaries, by means of appropriate regulations.

<sup>3</sup> The granting of a licence to a person to act as an intermediary implies that such person shall be subject to the jurisdiction and to all the rules, bye-laws and regulations of the Malta FA and of those other international organisations of which the Malta FA may be a member.

<sup>4</sup> Players and Member Clubs may not make use of the services of intermediaries unless authorised by the relevant regulations, which will provide also for sanctions that may be imposed upon players and Member Clubs that make use of the services of non-licensed players' agents.

<sup>5</sup> The Executive Board may in its discretion approve all those other rules and regulations which it shall deem necessary for the qualification, control and discipline of players and intermediaries.

<sup>6</sup> Member Clubs shall bring to the attention of the General Secretary of the Association any irregularities in the registration of the players registered with this Association immediately as soon as they become aware of them. If a Member Club was in a position to be aware of such irregularities, such Member Club shall be deemed to have been aware of such irregularities.

Failure on the part of a Member Club to abide by the provisions of this rule may be referred by the General Secretary to the Control, Disciplinary and Ethics Committee, which shall sanction the club as it may deem fit upon such irregularity being proven to its comfortable satisfaction.

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**Article 87 Football coaches**

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<sup>1</sup> Prior to the start of every football season, the Association shall compile a List of Active Coaches in the sport of association football from amongst those licensed coaches who submit an application to be

licensed for the coming season and who in the opinion of the Association are able to perform their duties as coaches in the sport of association football. The List may include different classes of coaches depending on their qualification. During the football season, the Association may add new coaches to and remove coaches from the List.

The Association shall not recognise as a coach a person who is not included in the List of Active Coaches.

<sup>2</sup> The Association may also compile a list of Honorary Football Coaches. This list shall consist of football Coaches who may have been rendered inactive through age, incapacity or any other special reasons.

<sup>3</sup> The Executive Board may approve all those rules and regulations it may deem necessary regarding the obtaining of a licence from the Association and for the formation, training, development, promotion, control and discipline of licensed coaches.

<sup>4</sup> The granting of a licence to a person to act as a coach implies that such a person shall be subject to the jurisdiction and to all the rules, bye-laws and regulations of the M.F.A. and of those other international organisations of which the M.F.A. may be a member.

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Article **88** **Leagues and Competitions**

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<sup>1</sup> The Executive Board shall decide which leagues and competitions shall be organised by the Association.

<sup>2</sup> A club's entitlement to take part in domestic competitions organised by the Association shall depend principally on sporting merit. A club shall qualify for any championship organised by the Association by remaining in a certain division or by being promoted or relegated to another at the end of the season.

In addition to qualification on sporting merit, a club's participation in such a competition may be subject to other criteria within the scope of the club licensing regulations as adopted by the Executive Board, whereby the emphasis is on sporting, infrastructural, administrative, legal and financial considerations.

Altering the legal form or company structure to facilitate its qualification on sporting merit and/or its receipt of a licence for a championship organised by the Association, to the detriment of the sporting integrity of such competition is prohibited. This includes, but is not limited to, changing the headquarters, changing the name or transferring stake-holding between different clubs.

The Executive Board shall implement the principle of promotion and relegation in each set of rules governing the various competitions organised by the Association.

<sup>3</sup> The Executive Board shall decide on the calendar of domestic competitions and on the draws of these competitions.

<sup>4</sup> The Executive Board shall decide on participation at international level, both with regards to international competitions for clubs and with regards to international competitions for national teams.

<sup>5</sup> In the drawing of the calendar of domestic competitions during the playing season the Executive Board shall abide by the International Match Calendar as approved by FIFA.

<sup>6</sup> The football season commences on the ninth (9th) day of June in one year and ends on the eight (8th) day of June of the following year. However, in the case of appointments required to be made in accordance with the provisions of this Statute, or by the other rules, bye-laws and regulations of the Association, the football season shall be deemed to start on the day of the first Executive Board meeting

after the General Assembly taking place between the 15th July and the 15th August and shall be deemed to come to an end on the day prior to the day of the first Executive Board meeting after the said General Assembly of the Association in the following season.

<sup>7</sup> No matches played under the jurisdiction of the Association may take place in a football stadium/ground, which has been suspended by a competent body of the Association.

<sup>8</sup> Member Clubs and their players shall not take part in any football match or competition the proceeds of which are not devoted to a Member of the Association or an affiliate thereof, or some other object approved of by the Malta FA, or any of its Members and/or affiliates thereof.

The playing of matches arranged by private individuals for their own speculative purposes only shall not be permitted.

Charity or Benefit football matches and competitions shall not be organized without the consent of the MFA, a Member Association or an Affiliated Association.

Clubs or players belonging to the Malta FA, its Members or their affiliates, shall not play or take part in any Charity or Benefit football matches or competitions for which consent as mentioned in the foregoing sub-article has not been given.

<sup>9</sup> Member Clubs, Member Associations, and affiliates thereof, except the Youth Football Association together with Fondazzjoni Inħobb il-Futbol, and any other organisation or person whomsoever who in any way whatsoever falls under jurisdiction of the Malta FA, except in the case of a school or college, may not organise football competitions for players who are not yet sixteen (16) years old, except with the written permission of the Executive Board of the Malta FA which, in deciding upon any such request, shall act on the advice of the Youth Football Association and Fondazzjoni Inħobb il-Futbol.

Anybody who acts in contravention of this rule, and anybody who in any manner appears to approve a contravention of this rule, shall be dealt with severely by the competent bodies of the Association.

<sup>10</sup> It is prohibited for a player, referee, coach, or a member of the Management Committee of a Member Club or of a Member Association, as well as for a Board or Committee Member or an Executive Board Member of this Association or of a Member Association to take part in any football activity with a Club/Team of a non-member association or with such non-member association.

For the purpose of this rule, the term "non-member association" means an association which organises regular football matches on a national scale and is not a member of this Association. In case of doubt, the Executive Board shall have the right to specify to which association/s this rule applies.

A player, who is found guilty of having infringed this Rule, shall be suspended for a minimum of six (6) months and for a maximum of two (2) years.

Any other individual upon whom the Association has jurisdiction and who is found guilty of having infringed this rule, shall be suspended for a minimum of six (6) months and a maximum of two (2) years.

An individual upon whom the Association does not have jurisdiction, but who is serving this Association in any capacity whatsoever and who appears to have infringed this Rule shall be removed from the position in which he is serving.

## XII. FINAL PROVISIONS

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### Article **89** Notices served by the Association

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<sup>1</sup> Notices of the Association to be served upon its Members shall be served either by post or by email at the official address or e-mail address of the body concerned as notified to the Association in writing by the body concerned.

<sup>2</sup> Notices of the Association to be served upon an individual shall be served either personally or by post or email either at his address or email address in accordance with the Association's records of such individual or at the official address or email address of his Member Club or Member Association concerned.

<sup>3</sup> If sent by post, such notices shall be deemed to have been served at the time when the letter containing the same would, in the ordinary course of post, be delivered, and in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and posted. If sent email, such notices shall be deemed to have been served on the date and at the time that in accordance with the MFA records such notice was sent by email.

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### Article **90** Publication and Coming into force of Decisions of Boards of the Association

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<sup>1</sup> All decisions taken by the independent committees, including the Disciplinary Commissioner of the Association, are to be published on the web portal or website of the Association by the General Secretariat of the Association as soon as possible following such decisions.

All decisions taken by the bodies mentioned in the foregoing sub-article shall come into force at the moment they are notified to the parties concerned, unless the same decision stipulates otherwise.

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### Article **91** Representation of members before bodies of the Association

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<sup>1</sup> When appearing before any independent committee, Member Clubs or Member Associations may be represented by any of their Officers or Delegates. A Member Club or Member Association may be assisted or represented by a person other than any of its Officers or Delegates, provided that a letter of representation signed by the President or Secretary of such Member Club or Member Association shall be presented to the body in question. Provided further that such person is not serving a suspension imposed by the Association, FIFA or UEFA, or has not been declared a "persona non grata" by the Association.

<sup>2</sup> Except in proceedings before the Disciplinary Commissioner of the Association, in any proceedings of the Association, an individual who is the appellant, the complainant or the person inquired or charged, shall have the right to be assisted or represented by a person of his choice so long as such person is not serving a suspension imposed by the Association, FIFA or UEFA, or as long as such person has not been declared a "persona non grata" by the Association.

**Article 92 Respect amongst officials**

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<sup>1</sup> It is a serious offence to use any offensive or abusive expression or any expression which is otherwise objectionable, unless such an expression is necessary for the purpose for which the written communication is intended, in any written communication addressed to the Association, including any written communication addressed to any Officer or to an Executive Board Member or to a Member of a Board, Commission or Committee of the Association, on matters concerning their duties with the Association.

<sup>2</sup> In any such case, the Executive Board has the power to declare that the whole written communication should be considered as if it had never been received. However, when it can be shown to the satisfaction of the Executive Board that the contravention is slight and not wilful and can be remedied adequately by the striking out of the forbidden expression/s, the Executive Board may instead order that the said expression/s be struck out.

<sup>3</sup> It is a serious offence to use any verbal offensive or abusive expression which is deemed objectionable by the person against whom it is directed, whether such expression is uttered in his presence or not, if the same expression is uttered against an Officer of the Association or another Executive Board Member or which is uttered against a member of a Board or Committee or Commission of the Association or against any other person who performs a function within the Association, with regards to matters concerning their rights and duties within the Association.

<sup>4</sup> Any person, who acts in contravention of the provisions of the foregoing article, and the body on whose behalf such written communication was written, if any, shall be severely punished by the Disciplinary Bodies of the Association.

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**Article 93 Publication of Association matters and behaviour in the media**

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<sup>1</sup> Any Member or affiliate thereof, or any person subject to the jurisdiction of the Association, shall not publish in the media, or in any other manner, any part of any correspondence exchanged with the MFA, or any other correspondence which may be calculated to criticise or harm or otherwise praise any other Member or affiliate thereof, or any person subject to the jurisdiction of the Association. The whole official correspondence may however, be published at the Executive Board's discretion after it had been definitely dealt with by it.

<sup>2</sup> The Association shall be entitled to make public through the media, or in any other manner it shall deem fit and proper, reports of its proceedings, acts and resolutions, whether the same shall or shall not reflect on the character or conduct of any Member or its affiliates, or any other body or person on whom the Association has jurisdiction or any spectator at football matches. All these shall be deemed to have assented to such information being made public.

<sup>3</sup> Members and affiliates thereof, or any person subject to the jurisdiction of the Association, shall not comment in the media in a way which may be calculated to criticise in a harmful way or harm the Association, its Members and affiliates thereof, or any person subject to the jurisdiction of the Association or having a function with it.

Any body or individual that infringes the provisions of the foregoing article shall be referred to the Control, Disciplinary and Ethics Committee which shall impose an appropriate sanction depending on the gravity of the offence.

<sup>4</sup> Members of the Association shall send to the General Secretary of the Association, within fifteen (15) days of the publication, a copy of any official printed publication produced by them or produced on their behalf.

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Article **94** **Unforeseen contingencies and *force majeure***

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The General Assembly shall have the power to decide on all cases of *force majeure* and on all matters not provided for in these Statutes; such decisions shall take into account the relevant regulations of FIFA, of UEFA, of the Malta FA as well as any applicable Laws of the Republic of Malta.

Such decision is subject to review as established in Article 26(3).

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Article **95** **Publication of corporate documents**

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The Malta FA shall make available on its official website the following documents and information:

- a) the Statutes and the Standing Orders of the General Assembly;
- b) the other regulations of the Association;
- c) the Code of Ethics;
- d) its strategy.

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Article **96** **Dissolution**

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<sup>1</sup> The Officers of the Association shall, for all intents and purposes, be deemed to be the legal owners of all the property of the Association.

Any decision relating to the dissolution of the Association requires a majority of two thirds of all of its Members, which must be obtained at a General Assembly specially convened for the purpose.

<sup>2</sup> If the Association is disbanded, its assets shall be transferred to a body to be decided by the Executive Board. Such body shall hold these assets as a trustee in accordance with the relevant professional duties until the Malta Football Association is re-established. The final General Assembly may, however, choose another recipient for the assets on the basis of a two-thirds majority.

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Article **97** **Enforcement**

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These Statutes were adopted at the General Assembly on the 26th July 2021 and come into force on the same date. The former Statutes of Malta FA are hereby repealed.

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**Article 98** **Transitory provisions**

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<sup>1</sup> The Members as defined under Article 8 of these Statutes, shall be granted a period of 12 months, as from the adoption of this Statute, to comply with the mandatory requirements stipulated in Article 9(2), as well as Article 12(1) f), g), j), n) and o) of these Statutes. Any Member which does not comply with all of these requirements within the aforementioned timeframe, shall automatically lose its right to vote at the General Assembly and the delegate(s) of the Member in question shall not be taken into account when establishing the quorum. The Member in question shall only regain its right to vote at the General Assembly once it has fully complied with its obligations as mentioned in this paragraph.

<sup>2</sup> The composition of the Executive Board as defined in Article 34(1) of these Statutes shall only be applicable to the Executive Board after the adoption of these Statutes. Provided that current Ordinary Members shall have their term extended to two (2) years from their election.

Provided further that, notwithstanding the provisions of Articles 27 and 28, vacant seats on the Executive Board shall be filled at the next General Assembly following the adoption of this Statute.

<sup>3</sup> The requirement to undergo an integrity check as mentioned in Article 34(2) of these Statutes and the criteria defined in Article 34(4) of these Statutes shall not apply to the members of the Executive Board that are in place at the time of adoption of these Statutes but shall be complied with by any candidate running for any of the position on the Executive Board following the adoption of these Statutes.

<sup>4</sup> Upon adoption of these Statutes, the Executive Board shall appoint the members of the Permanent Committees as defined under Articles 44 to 53 of this Statute. For the season following the adoption of this Statute only, the independent committees as defined under Articles 56 to 64 shall be appointed by the Executive Board at its first meeting for a term of one year. In so doing, the Executive Board shall adhere to the criteria related to independence and to all the provisions regulating the composition of such committees under this Statute.

<sup>5</sup>

Upon the adoption of this Statute, the General Secretary shall:

a) take any and all actions to inform FIFA, UEFA, the Office of the Commissioner for Voluntary Organisations, SportMalta and any other relevant entity, that the Malta FA has adopted the new Statute, as its supreme and legislative code;

b) amend any grammatical and linguistic mistakes and other similar errors within the new Statute as well as the other regulations of the Association, without the need to seek prior consent from the General Assembly, to ensure the appropriate drafting, coherence, and consistency throughout such statute and regulations;

c) replace all references to the 'Council' of the Association by references to the 'Executive Board' of the Association in all the regulations of the Association.

<sup>6</sup> a) The next election for the position(s) of officers of the Association following the adoption of this Statute shall be held during the General Assembly convened between 15 March and 15 April 2024, and every four (4) years thereafter, in accordance with Article 29 of this Statute;

b) The next election for the positions of Ordinary Members on the Executive Board following the adoption of this Statute shall be held during the General Assembly convened between 15 July and



15 August 2023, and every two (2) years thereafter.

b) The age limits, as defined in Article 27(4)(b) of this Statute, shall apply as from the elections of the Officers of the Association to be held during the General Assembly convened between 15 March and 15 April 2024;

c) The term limits as defined in Article 27(4) of this Statute, shall include also the terms served within the respective position of Officers of the Association prior to the adoption of this Statute;

<sup>8</sup> The code of ethics shall regulate any sitting or past officer of the association;

Valletta, Malta

For the Malta Football Association,

Bjorn Vassallo  
President

Dr Angelo Chetcuti  
General Secretary