



MALTA GOLF ASSOCIATION

CONSTITUTION

(07.03.2017)

1. General Provisions

- 1.1 The Association shall be called the Malta Golf Association (hereinafter referred to as the Association).
- 1.2 The Association shall be the only governing body of the Sport of Golf throughout the Maltese Islands.
- 1.3 The Association shall be the union of its affiliate members in the Maltese Islands.
- 1.4 The registered office of the Association is the Malta Golf Association, c/o Royal Malta Golf Club, Aldo Moro Street, Marsa MRS 9064, Malta.

2. Objectives

The Association is a non-profit voluntary organisation and is established to act as the governing body for (and as such to promote, administer and encourage) the Sport of Golf in the Maltese Islands and in particular:

- 2.1 To co-operate with the R&A of St Andrews, Scotland and to recognise R&A Rules Limited as the ruling authority for determining the Rules of Golf and the Rules of Amateur Status.
- 2.2 To co-operate with the International Golf Federation, the European Golf Association, the Mediterranean Golf Federation and other international golf associations in order to promote the Sport of Golf.
- 2.3 To act as the representative member for the Maltese Islands in international affairs and to affiliate to, and carry out functions delegated to it by the International Golf Federation, the European Golf Association, the Mediterranean Golf Federation and other relevant bodies.
- 2.4 To develop and nurture relationships between the Association and the Maltese Olympic Committee, the Malta Sports Council and any relevant local government departments or authorities.
- 2.5 As the affiliated *Union* to the Council of National Golf Unions (CONGU) and as the affiliated *National Association* to the European Golf Association (EGA), to appoint an *Area Authority* to act on behalf of the Association for the purposes of the handicapping system within the specified area and to be responsible for and assist the Area Authority and the Club in maintaining a uniform system of handicapping.

- 2.6 To co-ordinate, organise and promote national championships and international competitions and other matches across the Maltese Islands and to oversee the selection of and co-ordination of officials for such events.
- 2.7 To establish and be responsible for the maintenance of an anti-doping policy according to Legal Notice 281 of the Malta Sports Act.

3. Obligations

- 3.1 The Association shall be responsible for the selection, management and control of individuals and/or teams to represent the Association at any international activities.
- 3.2 The Association shall ensure that no athlete or official other than a member affiliated or associated to it may compete or officiate at any event organised by the Association or represent the Association at any international activity.
- 3.3 The Association shall ensure that only amateur golfers as defined by the R&A Rules Limited may compete in any of its events.

4. Memberships and Affiliation

- 4.1 An amateur golfer who is a member of a Golf Club (a facility consisting of a golf course of 9 holes or more) or Golf Society within the geographical area of the Association (hereinafter referred to as the Club), irrespective of gender, colour and religion, is an affiliate or ordinary member of the Association.
- 4.2 The Association shall have the following categories of membership:
 - 4.2.1 Affiliate members - being residents of the Maltese Islands holding valid identity cards as issued by the Government of Malta.
 - 4.2.2 Ordinary members - being non-Maltese identity card holders or persons who have an interest in the game of golf but are not members of a Club.
 - 4.2.3 Associate members - being Maltese nationals who are members of an overseas Club.
 - 4.2.4 Honorary members - being persons whom the Association wishes to honour in recognition of special services rendered to the Association or to the game of golf.
- 4.3 To allow the Association to meet its obligations, the Club will provide to the Association, at least once annually, a list of members and their golf handicaps.
- 4.4 All category members except honorary members shall each pay an annual subscription fee as decided by the Association's Executive Council. Affiliate and ordinary members shall do this through their Club.

- 4.5 All subscriptions fees become due on acceptance of membership and subsequently annually on the 1st April. The subscription fees, for affiliate and ordinary Club members, will be forwarded by the members' Club to the Association in a lump sum equivalent to the number of their members multiplied by the annual subscription fee per member.
- 4.6 The Association reserves the right to reject any application for membership, provided that the merits of the application have been discussed and subsequently rejected for a valid reason (which does not have to be disclosed) by a simple majority decision of the Association's Executive Council.
- 4.7 There shall be a qualifying period of 24 months before a new member may vote on any Association issues.

5. Management and Administration

- 5.1 The governing body of the Association shall be called the Executive Council. The entire management of the affairs of the Association shall be vested in the Executive Council, in accordance with the provisions and regulations of this Constitution.
- 5.2 Only persons over the age of eighteen years and who are affiliate members of the Association may be eligible to serve on the Executive Council. The Hon. President and Hon. Secretary must have a Maltese nationality and be proficient in the Maltese language.
- 5.3 Save as provided by paragraphs 7.4, the Executive Council shall be composed of:
- Hon. President
 - Hon. Secretary
 - Hon. Treasurer
 - Hon. Member
 - Hon. Member
- 5.4 All posts on the Executive Council are honorary and no Executive Council officer shall be paid a salary or receive any remuneration for services rendered to the Association.
- 5.5 The Hon. President will chair the meetings of the Executive Council. In the absence of the President, the other Executive Council officers shall have the power to delegate another officer to chair the meeting.
- 5.6 The Executive Council shall be convened not less than twice a year.
- 5.7 Any Executive Council officer may request an Executive Council meeting by writing to the Secretary stating the purpose of such a meeting. The Secretary shall call such a meeting within thirty days of receipt of the written request.
- 5.8 The Agenda for Executive Council meetings is to be sent to all Executive Council officers at least seven days in advance. In the event of an urgent Executive Council

meeting, the Secretary shall be dispensed from sending an Agenda, but is bound to inform all Executive Council officers by any other means.

- 5.9 Three officers of the Executive Council, one of who must be the President or the Secretary shall form a quorum for an Executive Council meeting.
- 5.10 Each officer of the Executive Council shall have one vote and all decisions are to be taken by a simple majority. The Chairman of the meeting shall have a casting vote in the event of a tie.
- 5.11 The Association's Financial and Administrative year shall be from the 1st January to the 31st December. All reports by the respective Executive Council officers are to be presented at the Association's Annual General Meeting, which shall be held according to Clause 6 of this Constitution.
- 5.12 The Executive Council will invite to any of its meetings an appointed representative of each Club registered with the Association. Such representative shall not have any voting rights on the Council.
- 5.13 The Association's members undertake to indemnify the Executive Council officers to the relevant extent against liabilities that may arise while carrying out their council activities honestly and in good faith.

6. General Meetings

- 6.1 The Annual General Meeting of the Association shall be held not later than 30th April at such time and place as may be decided by the Executive Council.
- 6.2 Additional meetings of the Association may be convened at the instance of the Executive Council or by written request from twenty-five affiliate members of the Association stating the purpose for which such a meeting is required.
- 6.3 Twenty-eight days notice of such meetings shall be given to all members of the Association but only the Association's affiliate members will be allowed to vote during such meetings.
- 6.4 Any affiliate member desirous of moving any resolution at such meetings shall give notice of such a resolution in writing to the Secretary at least twenty-one days before the proposed date of such meeting. Any amendment to a proposed resolution must be in writing and in the hands by the Association's Secretary at least fourteen days before the date of the meeting. Such a resolution or amendment shall be communicated forthwith to the Clubs.
- 6.5 Notice of the business to be transacted (agenda) shall be communicated to the Clubs not less than seven days before the proposed date of such meeting and no other business shall be admitted at such meeting.
- 6.6 The Agenda for an Association's Annual General Meeting must include:

Reading and approval of the minutes of any foregoing Meeting
Presentation of all Reports
Appointment of Auditors
Motions to amend the Constitution (if any)
Election of the Executive Council Officers (when applicable)

- 6.7 At any meeting the Association's Hon. President or failing him, another officer of the Executive Council selected by the Executive Council for the purpose, shall chair such a meeting and his decision as to the result of the voting on any question shall be final. Each affiliate member present shall be entitled to one vote on each motion that may be a secret ballot, if so requested by ten percent of those affiliate members present. The resolution shall be carried by a majority of more than two thirds of the voting thereon.
- 6.8 A quorum at a meeting shall be twenty-five. If within fifteen minutes from the time appointed for the holding of a meeting a quorum is not present, the meeting, if convened on the requisition of the affiliate members, shall be dissolved. In any other case, if the quorum is not present at the scheduled time, the said meeting should commence fifteen minutes thereafter irrespective of the number of persons present.
- 6.9 The Chairman of the meeting may, with the consent of any meeting at which a quorum is present (and shall if so directed by the meeting), adjourn the meeting from time to time, and from place to place. No business shall be transacted at any adjourned meeting other than the business that might have been transacted at the meeting from which the adjournment took place. Whenever such a meeting is adjourned for 14 days or more, notice of the adjourned meeting shall be given in the same manner as of the original meeting. Save as aforesaid, the affiliate members shall not be entitled to any notice of an adjournment, or of the business to be transacted at an adjourned meeting.
- 6.10 The Chairman of the meeting may at any time without the consent of the meeting adjourn any meeting (whether or not it has commenced or a quorum is present) either without fixing a day for the meeting or to another time or place where it appears to him that:
- (a) Members wishing to attend cannot be conveniently accommodated in the place appointed for the meeting;
 - (b) The conduct of persons present prevents or it is likely to prevent the orderly continuation of business; or
 - (c) An adjournment is otherwise necessary so that the business of the meeting may be properly conducted.

7. Election of the Executive Council

- 7.1 The Executive Council officers shall normally be elected during the Association's Annual General Meeting by secret ballot.

- 7.2 Should any affiliate member wish to contest any of the eligible positions for election, he should do so in writing to the secretary on the appropriate form provided at least fourteen days before the proposed date of the Association's Annual General Meeting. Any such application should be proposed and seconded by affiliate members. These nominations shall be communicated to the Clubs not less than seven days before the proposed date of the Annual General Meeting.
- 7.3 Elections, when applicable, for the Executive Council shall be held in the following order: Hon. President, Hon. Secretary, Hon. Treasurer and two Hon. Members.
- 7.4 Save as provided below, the persons polling the highest number of votes shall be the elected Council officers and shall serve for four years and at the end of which term they may offer themselves for re-election by the affiliate members.
- 7.4.1 In the event of a tie for any of the vacancies, a further ballot will be held amongst the voting members present at the meeting until one of the candidates gains a simple majority of the votes cast.
- 7.4.2 Provided that the Executive Council must have at least one gentleman member and at least one lady member.
- 7.4.3 Failing which, the one gentleman or the one lady obtaining the next highest number of votes from the gentlemen or ladies standing for election, shall be declared elected notwithstanding that he/she is not included with the top five and thus increasing the composition of the Executive Council to six members.
- 7.4.4 Should no gentleman/lady be elected as stated above, to fulfil article 7.4.2 accordingly, the Executive Council shall during its first meeting co-opt the necessary gentleman or lady as a Member of the Executive Council with full voting rights.
- 7.5 In the event of any of the above posts becoming vacant, one of the other Executive Council officers shall be assigned to take over any related duties until the next Association's Annual General Meeting.

8. Duties & Powers of the Executive Council

- 8.1 The Hon. President shall represent the Association at all times. He shall preside over Executive Council and General Meetings and all official Association functions.
- 8.2 The Hon. President may delegate any other Executive Council officer to represent the Association in his place.
- 8.3 The Hon. President is responsible, in conjunction with the Secretary, to formulate the agenda for, and to call Executive Council and General Meetings.
- 8.4 The Hon. Secretary, besides his normal secretarial duties, shall be responsible for distributing the agenda for all Executive Council and General Meetings; for keeping

the minutes of every meeting; for handling and distributing the Association's correspondence; and for distributing any relevant information to the Association's members.

- 8.5 The Hon. Treasurer, besides his normal financial duties, shall be responsible for keeping proper records of the Association's funds; for preparing and submitting financial reports when required and for collecting subscription fees from the Association's members.
- 8.6 The office of any Executive Council officer shall be vacated:
- (a) Once he attains the age of 75;
 - (b) If he becomes of unsound mind;
 - (c) If he becomes bankrupt or makes any arrangement or composition with his creditors generally;
 - (d) If by notice in writing to the Association he resigns his office;
 - (e) If he becomes prohibited from holding office by reason of any court order;
 - (f) If he is requested to resign by all other Executive Council officers acting together.
- 8.7 Legal representation of the Association shall be vested in the President or the person or persons so appointed for the particular business by the Executive Council.
- 8.8 The Executive Council shall have the power to appoint any person or group of persons to assist in legal; technical; disciplinary or such matters related to the management of the Association's affairs.
- 8.9 The Executive Council shall have power to require a Club to suspend the handicap of any one of its members.
- 8.10 The Executive Council shall have the power to make, rescind or amend rules, regulations, mechanisms and standing orders for the better administration of golf management affairs including (without limitation):
- (a) Rules for the selection of competitors to represent Malta in international matches and competitions and the management of any team of competitors so selected;
 - (b) Rules to combat doping in Golf and to ensure compliance with national and international rules relating to doping control.

9. Amendments to the Constitution

- 9.1 The Executive Council shall have power to make, rescind or amend Bye-Laws as they shall from time to time think necessary for the internal management of the Association and such new Bye-Law, rescission, or amendment shall hold good until

confirmed, rescinded or amended at the Association's General Meeting or Special Meeting called for the purpose.

9.2 The Association's Constitution shall only be amended by a majority of two-thirds of all affiliate members present at a General Meeting.

9.3 Clauses 9.2 and 9.3 of the Constitution may only be amended by a 'unanimous vote' of all the affiliate members present at a General Meeting.

10. Dissolution

In the event of dissolution of the Association, all assets of the Association shall be applied in favour of another non-profit organisation with similar purpose as the Association which may be selected by the Executive Council, or the members or the Courts of Malta.

11. Interpretation

11.1 Any words, of this Constitution (and in any of the Association's Rules, Regulations and Bye Laws made under Clauses 8.9 and/or 9.1) importing the singular number only and the masculine gender only shall respectively include the plural number and the feminine gender and vice versa unless inconsistent with the context.

11.2 The Maltese and the English languages shall be the official languages of the Association and the Association may for all official purposes use any of such languages. The Association may, in regulating its own procedures, determine the language or languages that shall be used in its proceedings and records. Any person may address the Association in any of the official languages and the reply of the Association thereto shall be in such language, with a free translation where appropriate.

11.3 The legal/official version of this Constitution is that in the Maltese language and this version will prevail should there be any inconsistency with the English translation.

NOTES:

Adopted for the first time by an EGM held on Thursday, 20th April, 2006.

Amendments to clauses 4.5 and 6.1 adopted at the BGM held on Tuesday, 25th March 2008.

**Amendments to clauses 2, 2.1, 2.5, 4.1, 4.2.1, 4.3, 5.2, 5.12 & 8
adopted at the BGM held on Thursday, 22nd April 2010.**

**Standards of Good Practice and Related Documents (Children in Golf Protection Policy & Procedures)
adopted as a bye-law at the BGM held on Thursday, 22nd April 2010.**

Amendments to clauses 1.4 and 10 adopted at the BGM held on Thursday, 25th April 2012.

**MGA Grievance Procedures, MGA Disciplinary Procedures and the MGA Amateur Status
adopted as bye-laws at the BGM held on Thursday, 25th April 2012.**

Amendment to clause 2.7 adopted at the BGM held on Tuesday, 11th March 2014.

**Amendments to clauses 5.11, 6.1, 6.6, 7.1, 7.2 and 7.5
adopted at the BGM held on Wednesday, 24th February 2016.**

Amendments to clauses 5.3 and 7.4 adopted at the AGM held on Tuesday, 7th March 2017.