



**Malta Red Cross**

**Statute**

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## CHAPTER 1 Constitution & Principles

### Article 1 LEGAL CONSTITUTION AND RECOGNITION

- 1.1 Is-So`jeta' Maltija tas-Salib l-A]mar, hereinafter referred to as **The Malta Red Cross Society** or the **Society**, was founded on the 24th of October 1991 for an indefinite period with independent legal capacity under Maltese Law and in accordance with the Conventions to which Malta is party.
- 1.2 The Malta Red Cross Society was recognised by Parliament on the 19<sup>th</sup> June 1992 by Act VI of 1992 (Chapter 359 of the Laws of Malta). The legislation recognises the Society to be an autonomous voluntary relief society that is independent of and auxiliary to the public authorities in the humanitarian field.
- 1.3 The Malta Red Cross Society was recognised by the International Committee of the Red Cross and became a member of the International Federation of Red Cross and Red Crescent Societies, both with their Headquarters in Geneva Switzerland, in October 1993. The International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies collectively are hereinafter referred to as **the Red Cross Movement** or **the Movement**.

### Article 2 FUNDAMENTAL PRINCIPLES

- 2.1 The Society builds its identity on the seven Fundamental Principles of the **Red Cross Movement**, which principles guide its actions.
- 2.2 The Fundamental Principles, as they stand today, were adopted by the XX International Red Cross Conference in 1965 and are included in the preamble of the Statute of the International Red Cross and Red Crescent Movement adopted at the XXV International Red Cross Conference in 1986. They define the specificity of the International Red Cross and Red Crescent Movement and guarantee that its humanitarian endeavours shall be pursued under any circumstance, be it in times of peace, conflicts or disasters. The firm adherence to these principles guarantees that the Red Cross will be respected by all, have access to victims and will be able to count upon the minimum standards of security in times of conflicts.
- 2.3 The Fundamental Principles of the International Red Cross and Red Crescent Movement are:
  - (i) **Humanity** - The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect human life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, co-operation and lasting peace amongst all peoples.
  - (ii) **Impartiality** - It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals being guided solely by their needs, and to give priority to the most urgent cases of distress.
  - (iii) **Neutrality** - In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.
  - (iv) **Independence** - The Movement is independent. The National Societies while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.
  - (v) **Voluntary service** - It is a voluntary relief movement not prompted in any manner by desire for gain.
  - (vi) **Unity** - There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.
  - (vii) **Universality** - The International Red Cross and Red Crescent Movement in which all societies have equal status and share equal responsibilities and duties in helping each other is worldwide.

### Article 3 MISSION AND PURPOSE

- 3.1 The mission of the Malta Red Cross Society is to prevent and alleviate human suffering, improving the situation of the most vulnerable people with absolute impartiality and without discrimination as to race, nationality, gender, class, religious beliefs or political opinions.
  - 3.2 In this respect, the main purposes of the Society are:
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- (i) To act in cases of armed conflicts, for which it prepares itself during times of peace, as auxiliary to the Military Health Services, in all areas envisioned by the Geneva Conventions in favour of all war victims, both civilians and military.
- (ii) To closely cooperate during times of peace with the Civil Protection Department involved in disaster situations, regardless of their nature.
- (iii) To carry out health and welfare programs for the benefit of particularly vulnerable groups, always promoting responsible co-participation by other organizations and the population at large.
- (iv) To disseminate the fundamental principles of the International Red Cross and Red Crescent Movement and International Humanitarian Law in order to promote among the population the ideals of peace, respect and mutual understanding among human beings and the peoples of the world.
- (v) To promote and contribute to environmental protection and preservation.
- (vi) To co-operate with and support with other sister National Societies as need may be.

### Article 4 EMBLEM

- 4.1 The Maltese State permits the Malta Red Cross Society to use the Red Cross symbol on a white background as emblem, **in accordance with par.4 sec.1 of the above Act of Parliament**, and pursuant to the Geneva Conventions and the provisions of the International Red Cross and Red Crescent Conferences.
- 4.2 The Malta Red Cross Society shall use the Red Cross emblem in accordance with the “Regulations for the use of the Red Cross and Red Crescent emblem by the National Societies”, adopted by the XX International Conference in Vienna in 1965 and reviewed by the Council of Delegates in Budapest in 1991, which went into effect on 30 June 1992.
- 4.3 The Malta Red Cross Society shall develop its own rules, in agreement with the Regulations mentioned in the above paragraph, to regulate on the use and protection of the Red Cross emblem.
- 4.4 Act VI of 1992 (Chapter 359 of the Laws of Malta) reserves the use of the Red Cross emblem to the Malta Red Cross Society, contemplates penalties for unauthorised use by other parties and empowers the Society to promulgate subsidiary legislation to regulate the use of the emblem.

### Article 5 LEGAL REPRESENTATION AND ADDRESS

- 5.1 The legal representation of the Society is vested in the Director General of the Malta Red Cross Society.
- 5.2 The legal address of the Malta Red Cross Society is located in the capital city of Valletta or any other premises in the Maltese Islands as the General Meeting may determine from time to time.

## CHAPTER 2 Membership

### Article 6 MEMBERSHIP

- 6.1 Membership of the Malta Red Cross Society is open to any person or legal entity without discrimination as to gender, race, class, nationality, religious belief or political opinion who subscribes to the principles of the Society and indicates a desire to become a member of the Society.
- 6.2 There shall be various types of members.
- (i) **Active Members** are natural persons who have attained their eighteenth birthday and support the Society by means of their voluntary service and are certified as such by procedures approved by the National Board.
  - (ii) **Subscribed Members** are those persons who pay the annual subscription laid down by the National Board.
  - (iii) **Honorary Members** are natural or legal persons on whom the National Board has conferred the honour in recognition of outstanding services rendered to the Malta Red Cross Society. Honorary membership, as well as the loss thereof, shall be at the absolute discretion of the National Board.
  - (iv) **Corporate Members** are legal entities who support the Society especially by means of financial contributions.
  - (v) And any type of membership category as deemed by the National Board.

### Article 7 RIGHTS OF MEMBERS.

- 7.1 Members have the rights to elect and be elected to the National Board, and to participate and vote in general meetings.

### ARTICLE 8 TERMINATION OF MEMBERSHIP

- 8.1 A Member of the Society may terminate the membership by giving notice in writing to the Director General.
- 8.2 Any member who fails to pay the annual membership fee may have his/her membership terminated.
- 8.3 Any member whose words or actions are seriously inconsistent with the fundamental principles of the Red Cross Movement or damaging to the Malta Red Cross Society may have his/her membership terminated by the Director General. Any member so expelled shall have the right to appeal to the National Board, whose decision shall be final and binding.

## CHAPTER 3 – Organisational Structure

### ARTICLE 9 GENERAL MEETINGS

- 9.1 The General Meeting of the Malta Red Cross Society is the highest authority of the National Society. The Society shall hold an Annual General Meeting during the first four months of each year at a time and place in Malta determined by the President of the Society.
- 9.2 The function and powers of the General Meeting:
- (i) Ensures that the mission and purpose of the Malta Red Cross Society are in compliance with the Fundamental Principles of the Red Cross Movement,
  - (ii) Formulates the mission and policies that govern the National Board,
  - (iii) Receives the Director General's administrative report for the preceding year,
  - (iv) Receives the Treasurer's report and approve the audited accounts for the preceding year and approve an external auditor,
  - (v) Considers and approves a budget for the forthcoming year as proposed by the National Board,
  - (vi) Elects members of the National Board for the forthcoming term,
- 9.3 All members of the Society who have attained the legal age can vote in General Meetings,
- 9.4 Notice of a General Meeting is sent to members of the Society by ordinary mail or e-mail at the last known postal or e-mail address at least 15 working days in advance,
- 9.5 A quorum of thirty members is required for a General Meeting to take place. In the event that there is no quorum at the appointed time of the meeting, it shall be postponed for thirty (30) minutes, then the meeting shall take place with the members present.
- 9.6 All General Meetings are chaired by the President, or alternatively by the First Vice-President or Second Vice-President in that order of precedence.

### ARTICLE 10 THE NATIONAL BOARD

- 10.1 Composition: The National Board of the Malta Red Cross Society is the body governing the National Society. It is composed of:
- (i) Nine (9) members elected by the General Meeting.
  - (ii) The Secretary, who shall be the Director General *ex officio*.
  - (iii) The National Board will elect from among its elected members the President, the First Vice-President, Second Vice-President and the Treasurer.
- 10.2 The National Board is responsible for governing the Malta Red Cross Society on behalf of the members, ensuring compliance with policies and guidelines adopted by the General Meeting. In particular it has the following functions:
- (i) To establish guidelines required to implement policies and administrative provisions of national significance approved by the General Meeting.
  - (ii) To appoint or dismiss the Director General.
  - (iii) To recommend the annual budget for the General Meeting.
  - (iv) To appoint the Finance Committee, which is to be chaired by the First Vice-President.
  - (v) To perform all other duties that this Statute may stipulate.
  - (vi) To obtain loans, overdrafts, credits and other financial and monetary facilities, whether as a sole borrower or jointly with other persons and to provide by way of security for the repayment of the principal and interest thereon and the fulfilment of any of the obligations of the Society, a hypothec, privilege, pledge and/or any other security over the assets of the Society.

**ARTICLE 11 ELECTIONS:**

- 11.1 Every two years members are elected on the National Board for a two (2) year term on the National Board.
- 11.2 The outgoing National Board shall before the Annual General Meeting appoint an Electoral Commissioner who shall receive nominations for elections to the National Board. Nominations signed by a proposer and a seconder, must be submitted in writing to the Electoral Commissioner. A list containing all nominations shall be mailed to all members at least fifteen (15) days before the date of the Annual General Meeting.
- 11.3 A Board member who is absent for more that 3 consecutive meetings without a valid reason or excuses him/herself for a period of more than a year automatically losses his/her place on the Board.
- 11.4 Casual vacancies shall be filled by the National Board.
- 11.5 The General Meeting may meet in an Extraordinary Session at the request and initiative of the President in agreement with the National Board or at the request of thirty members. These sessions can be held in order to:
- (i) Consider and, if deemed fit, approve amendments to this Statute properly proposed and seconded.
  - (ii) Consider and, if deemed fit, approve resolutions proposed the National Board, a Branch Committee or by any member and seconded by another member.

**ARTICLE 12 SESSIONS**

- 12.1 The National Board will meet at least once every three months.
- 12.2 The Director General, in his/her capacity as Secretary of the National Board and working with the President of the National Board, shall be responsible for convening all meetings of the National Board.
- 12.3 The National Board shall make its decisions by simple majority (50% plus one). In the case of a tie the President has a second or casting vote.
- 12.4 The Director General, in his/her capacity as Secretary of the National Board, is responsible for keeping the minutes of all meetings of the National Board, recording what is discussed and approved. The minutes as approved must be signed by the President and the Director General. The original copies of the minutes shall be kept at the Head Office of the Society and are to be accessible to the members of the National Board.

**ARTICLE 13 NATIONAL BOARD MEMBERS**

- 13.1 No National Board member may be a fulltime, part time or casual employee of the Malta Red Cross.

**ARTICLE 14 THE PRESIDENT**

- 14.1 The President is the most senior member of the Malta Red Cross Society. He is accountable to the General Meeting and responsible to ensure that the Red Cross is faithful to its Mission and Purpose and that it operates in conformity with this Statute and the decisions of the General Meeting and the National Board.
- 14.2 The President may delegate part of the functions under this article to one of the Vice-Presidents or to the Director General.

**ARTICLE 15 VICE PRESIDENT**

- 15.1 The Vice-Presidents shall in order of precedence act in the place of the President in his absence.

**ARTICLE 16 THE TREASURER**

- 16.1 The duties of the Treasurer of the National Board shall be
- (i) To receive reports and supervise all funds, donations, estates, assets and other contributions turned over to the National Society.

- (ii) To advise the National Board on financial matters.
- (iii) To receive the regular balances of accounts of the Society, which the Director General of the Society must provide.
- (iv) Any other functions stipulated by this Statute.

**ARTICLE 17 THE DIRECTOR GENERAL**

- 17.1 The Director General, in his/her role as Secretary of the National Board, shall:
- (i) Convene the ordinary and extraordinary meetings of the National Board, as stipulated in Article 12 of these Statute, at the request of the President or the stipulated number of Board Members as indicated in the statute.
  - (ii) Draft the official minutes of the General Meetings and National Board meetings and keep them updated, submit them for approval and ensure that they are signed by the President or Acting President of the National Board.
- 17.2 The Director General is the highest ranking hired administrative officer of the Society and, as such, shall have the following functions:
- (i) To ensure adoption of any measure necessary to implement the decisions of the National Board.
  - (ii) To legally represent the Society
  - (i) To prepare annual budgeting, to be submitted to the National Board, manage funds, and control expenditure of the Society with the assistance and approval of the Treasurer.
  - (iv) To perform any other functions as directed by the National Board.

**ARTICLE 18 BRANCHES OF THE MALTA RED CROSS SOCIETY**

- 18.1 When the National Board considers it necessary it may establish Branches, defining the territory allotted to each and delegating such responsibility as it thinks fit for the organisation of the National Society and its activities in that area.
- 18.2 Each Branch Board shall be responsible to the National Board. The National Board shall establish regulations for the organisation of the Branch Board and the conduct of their meetings.

**ARTICLE 19 ASSETS AND FINANCIAL ACTIVITY**

- 19.1 The assets, rights, fees and resources of any kind of the Malta Red Cross builds up a single Estate for the purposes of the Institution. All assets and resources procured, or to be procured shall be listed exclusively in the name of the Malta Red Cross Society. The Director General, subject to authorization by the National Board and within the limits established in this Statute, shall be responsible for their disposal, control over use and procurement.
- 19.2 The Head Office shall undertake income-generating initiatives in terms of permanent services or through projects. At the same time, and to the extent possible, it shall provide financial assistance to the Branch Committees.
- 19.3 The Branch Assemblies may conduct charity collections, raffles and other fundraising and entrepreneurial activities at the Branch level; the Branch Committees shall be responsible for their management within their territorial limits. They must inform the Director General in advance about such activities.
- 19.4 The National Board of the Malta Red Cross Society shall be kept informed by the Director General of any national fund raising or charity campaign/s that is/are authorised by the Director General of the Society.

**ARTICLE 20 MUTUAL RESPONSIBILITIES AND CONTROL**

- 20.1 On the basis of the terms of financial autonomy that these Statutes grant to the Branch Committees, it is understood that the central government bodies of the National Society are not to be held responsible for the financial obligations and commitments contracted by the former. Reciprocally, the Branch Committees are not to be held responsible for the obligations and commitments contracted by the central government bodies. The National Board may intervene and decide in which cases the financial obligations of any Branch Committee are compromising or endangering the integrity or the image of the Malta Red Cross, as established by the present Statutes and the present Article. In order to expedite its work, the National Board may request any audit deemed necessary.
- 20.2 Every Branch Committee has the right to request updated information on the Head Office's financial and accounting affairs and management thereof, while the National Board can do the same with respect to the Branch Committee.

**ARTICLE 21 ACCOUNTING PERIOD AND FINANCIAL REPORT**

- 21.1 The Accounting Period of the National Society begins on January 1 and closes on December 31 of each year.
- 21.2 At the closing of every accounting period, the Treasurer of the National Board, as appropriate, shall present a report of the Society's financial situation to the National Board, and the Treasurer of the Branch Committee shall present a report to the Branch Chairperson and the National Society Treasurer. Once reviewed, the reports shall be submitted to the collegiate authority of the corresponding territory (assembly) for examination and adoption.
- 21.3 Each year, the National Society shall perform external audits to the financial-accounting statement at all territorial levels (Head Office and Branch Committees), which make it up. Findings shall be presented to the National Board and the General Meeting. Any member of the Malta Red Cross can request to be provided the results of said audit which shall be available to the public at large and other organisations and authorities.

**ARTICLE 22 AMENDMENT OF THE STATUES**

- 22.1 Proposals to amend these Statutes may arise from the National Board, Branch Committees or member/s. These proposals must be considered and approved or otherwise at a General Meeting of the Society.
- 22.2 Any amendments approved by the General Meeting will have to be submitted and approved by the Joint Statutory Commission of the International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross.

**ARTICLE 23 DISSOLUTION OF THE NATIONAL SOCIETY**

- 23.1 The Dissolution of the Malta Red Cross can only be ordered by law, or decided by 75% of the total members that form the General Meeting, whenever the Fundamental Principles of the Movement and the institutional objectives and activities of the National Society can no longer be observed in the country, regardless of the cause.