

STATUTE
OF
SANTA MARIJA ESTATE RESIDENTS
ASSOCIATION, MELLIEHA

1. There shall be an Association, legally constituted, which shall be known as ***Ghaqda tar-Residenti ta' Santa Marija Estate, Mellieha.***

2. The main aims of the Association are:
 - a. To foster awareness about the need to protect the environment in and around Santa Marija Estate.
 - b. To insist that any development within Santa Maria Estate respects all established zoning conditions and building regulations, so that no development detrimental to the environment will take place. The environment is understood to include the valleys, ridges, cliffs and the coast as well as built-up areas.
 - c. To work with the Administration and Local Council on present and future needs in the area as far as street lighting, road surfacing, transport, services, hygiene and any other public service is concerned.
 - d. To foster amicable relations between residents and to promote the interests of its members.

3.
 - a. The Ghaqda has no political aims.
 - b. The Ghaqda is a non-profit making Association as defined in the Voluntary Organisations Act (Chapter 492 of the Laws of Malta).

4. The Committee of the Ghaqda shall consist of:
 - Chairperson
 - Deputy Chairperson
 - Secretary
 - Membership Secretary
 - Treasurer
 - Assistant Treasurer
 - P.R.O

and may co-opt up to five other members for any specific purpose as may be required. Co-opted members will have a right to vote.

5. Legal representation of the Ghaqda is vested in the Chairperson and the Secretary. The Committee shall have all rights to administer the Ghaqda.

6. The Duties and Responsibilities of all Officers elected to serve on the Committee are recorded in detail in Appendix 1.

7. Where the Statute does not provide guidance, instruction or directive, the Committee may regulate itself and establish rules which shall be binding on the members of the Ghaqda.

8. Membership is open to residents of Santa Marija Estate who are over eighteen years of age and agree with the aims of the Ghaqda. Application for membership must be made in writing. One (1) vote will be designated per plot that is resided in by it's owner. A plot being defined as demarcated in the original Santa Marija Estate Plan. Voting rights will be restricted to paid-up resident owner members. A resident owner member may have only one vote – to be known as the 'Voting Member'. The Committee reserves the right to refuse membership and/or voting rights without specifying a reason.

Note on Voting Rights

Article 8.refers to the voting rights of members who own and who are resident on their plot.

The strict interpretation of this article precludes *VACANT* plots and members who do not own the plot they reside on from entitlement to voting rights.

9. The membership fee shall be determined periodically by the Committee.
10. Only paid-up voting members of the Ghaqda may propose nominations for election to the Committee Maximum of two[2] per Plot). Paid-up membership must be held for six months before a proposal can be accepted.
11. All meetings of the Committee require a quorum of two thirds of the Committee. A committee member may give power of attorney to any other committee member. In the absence of the Chairperson the Deputy Chairperson shall preside. If both of these officials are to be absent the Chairperson may, prior to the meeting, appoint another Committee Member, to chair that particular meeting. Otherwise the meeting must be postponed. Any member of the Committee who does not attend three consecutive meetings, without a valid reason, shall be deemed to have lost his/her seat on the Committee. If necessary, vacant posts may be filled in accordance with the election results held at the previous General Meeting.
12. Every decision or resolution made during Committee or General Meetings of the Ghaqda must be approved by a simple majority of the members present. The Chairperson has the right to vote. In case of a tied vote the Chairperson has a duty to use his/her casting or second vote.
13. Amendments to the Statute can only be approved by a two thirds majority of the members entitled to vote present during a General Meeting or at an Extraordinary Meeting. All proposed amendments must reach the Secretary not less than 10 days before the General or Extraordinary Meeting, together with the name of the proposer and seconder. An Extraordinary General Meeting may be called by the Committee, or by at least 25% of the membership making a written request to the Secretary. The Secretary will then arrange for the meeting to take place within 15 days of the request having been received.
3. At least

14. At least one General Meeting must be held annually. Elections to the Committee are held every two years. A quorum for the General Meeting is to be not less than twenty-five percent of the paid-up voting members including the Chairperson and the Secretary.
In the event of no quorum being present at the appointed commencement time the Chairperson may, at his/her discretion, delay the meeting for thirty minutes in order to acquire a quorum.
In the event of a failure to achieve a quorum, the Chairman may, at his/her discretion, either proceed with the meeting or postpone the meeting for a maximum of 15 days.
When due the General Meeting will elect seven(7) members from the members who are eligible to qualify as Voting Members, to form the Committee.
Only paid up Voting Members have a right to vote on resolutions and in elections, in accordance with article 8. of the Statute.
15. Notice of a General Meeting must be sent by a circular, or where appropriate by email, to all paid-up members under the signature of the Secretary, approximately 21 days before the date of the meeting.
A notice in a local newspaper or Local Council publication will be an acceptable legal alternative to give notification of all meetings, nomination forms for elections may be attached. All nominations require the acceptance of the nominee, a proposer and seconder (all must be eligible members) and must reach the Secretary at least 10 days before the election is due. Late nominations will be invalidated.
16. All members must pay the membership fee established by the Committee. If payment is not made within 90 days of the due date membership will automatically lapse.
Any application to renew lapsed membership must be made in writing. The Committee reserves the right to refuse any application.
17. The Committee reserves the right to terminate any membership in such cases where members are considered, by the Committee, to be failing to comply with the spirit, principles and Articles of the Statute.
18. The Committee, by a 2/3 majority vote, reserves the right to terminate the appointment of any Committee member in such cases where the member is considered to be failing to comply with the Spirit, Principles and Articles of the Statute. This clause may also be enforced when a member is not carrying out his/her duties and responsibilities within the Committee, has acted in an improper manner towards his fellow Committee member/s or has acted in an improper manner which is considered to be damaging to the structure, image or reputation of the Ghaqda.
The result of the vote will be enforced with immediate and irreversible effect.
19. In the event of the dissolution of the Ghaqda, all assets and monies belonging to the Ghaqda may either be shared among charitable institutions or dispensed with according to the Ghaqda Committee's decision.

Sunday 15th, February, 2009. AGM.

Appendix 1. Duties and Responsibilities.

Appendix 1 to Statute

Duties and Responsibilities of Committee Members

The Chairperson has the duty to:-

- a. Represent the Ghaqda and its members and to uphold the aims and objectives of the Statute.
- b. Establish an action plan which will enable the Ghaqda Committee to achieve the stated aims within his/her term of office.
- c. Preside over Committee Meetings.
- d. Determine the date, time, venue and agenda for Committee Meetings in consultation with the Secretary and other members of the Committee.
- e. Fix the date, time, venue and agenda for General Meetings in consultation with the Secretary.
- f. Ensure that members of the Committee carry out their duties.
- g. Ensure unity and understanding amongst Committee Members.

The Deputy Chairperson has the duty to:-

- a. Deputise for the Chairperson in all aspects of his/her duties in the absence of the Chairperson.
- b. To act in unison with the Chairperson in the performance and implementation of such duties as the Chairperson seeks to delegate.

The Secretary has the duty to:-

- a. Keep the minutes of all meetings.
- b. Take charge of all correspondence.
- c. Ensure that decisions taken by the Committee are acted upon, together with the Chairperson.

The Membership Secretary has the duty to:-

- a. Update and maintain the membership register of paid up members.
- b. Issue receipts and enter all information into data base.
- c. Ensure that cheques/ cash payments are deposited with the Treasurer.
- d. Inform the Neighbourhood Watch Co-ordinator of all listed members.

The Treasurer has the responsibility to:-

- a. Maintain a record of all income and expenditure.
- b. Administer the finances of the Ghaqda in a correct and proper manner.
- c. Ensure that all Cheques and/or bills are duly signed in accordance with procedures established by the Committee.

The Assistant Treasurer has the duty to:-

- a. Deputise for the Treasurer in all aspects of his/her duties in the absence of the Treasurer.
- b. Act in unison with the Treasurer in the performance and implementation of such duties as the Treasurer seeks assistance.
- c. Liaise closely with the Chairperson when deputising for the Treasurer.

The Public Relations Officer has a duty to:-

- a. Promote the main aims of the Ghaqda as stated in Article 2. a, to d,. of the Statute by fostering good working relationships with government and non-government entities and the media with regard to the protection of the environment.
- b. Liaise with all members of the Committee with regard to Press Releases and any communications with the media.
- c. Keep the membership informed of all matters arising which may have an environmental effect on the Santa Marija Estate, including development issues.
- d. Liaise closely with the Information Sub-Committee.

Duties and Responsibilities of
Co-opted Members

The Information Sub-Committee has a responsibility to:-

- a. Maintain and update the Ghaqda Web Site and SME email account on a weekly basis.
- b. Advise the Chairperson and Committee members on the correct use of the Web Site.
- c. Liaise closely with all members of the Committee in the posting of information to Ghaqda members on the Web Site.
- d. Monitor the MEPA Web site, on a weekly basis, with regard to Planning Applications which affect the Santa Marija Estate.
- e. Inform the Chairperson and Committee members of published planning applications, ***which are likely to warrant the submission of formal objections.*** b the Ghaqda, owners or residents.
- f. Submit objections, subject to consideration and confirmation by the Committee.
- g. Advise members of policy breaches on which objections should be based.
- h. Inform the membership of any action required by individuals in support of such objections, by posting a proposed example text on the Ghaqda Web Site for general use.

The Social Events Sub-Committee has a responsibility to:-

- a. Organise a schedule of various social activities throughout the year, to include at least one Annual Dinner and one Barbecue per annum.
- b. Liaise with the local Parish Priest/ De la Salle Brothers to arrange for the celebration of church services in order to meet the spiritual needs of the Santa Marija Estate community.
- c. Ensure that such events may also serve as a social gathering by arranging modest refreshments to follow, for participants.

The Neighbourhood Watch Co-ordinator has a duty to:-

- a. Liaise with the Membership Secretary in order to maintain an updated list of all members.
- c. Identify and appoint Zone Supervisors to cover the Santa Marija Estate area.
- d. Organise the Supervisors into a working group responsible for all security matters and as a communications network to keep the members well informed on security matters.
- e. Liaise closely with the Information Sub-Committee.

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Sunday 15th, February, 2009. AGM.

Bernard Blagg.
On behalf of the Committee.