

SECTION 1 - NAME

1. The official name of the association established in terms of this statute is Malta Developers Association.
2. The association is referred to in this statute as the "Association"
3. The Association is not allowed to affiliate itself to any political party

SECTION II - OBJECTIVES

1. The main objective of the Association shall be to safeguard the interests of building contractors in all aspects. The Association should use all its resources to achieve this aim particularly through the following
 - a) Legislation that is relevant to and /or in any way regulates or governs the construction industry. The Association shall act as a pressure group and see that legislation is implemented in an active and effective way so that fair competition is ensured, as well as a better regulatory environment exists to protect the interests of building contractors.
 - b) Assisting contractors to have access to the necessary information in order to conduct their business properly and correctly.
 - c) Protection of building contractors vis-a'-vis third parties, including but not limited to suppliers and their customers
 - d) Representing contractors in the preparation, formulation and execution of economic policies which affect their interests
 - e) Seeing that decisions and criteria used by the respective authorities that are relevant to the construction industry are made public, and to monitor such decisions, criteria or other measures
 - f) Ensuring that unjust and deceitful market practices which create artificial demand are curbed,

g) Seeing that standards which regulate construction are established properly and fairly implemented

SECTION III - MEMBERSHIP

1. All those who are recognised building contractors are eligible to join as members. Membership may be granted both to natural and to legal persons.
2. New members become eligible to vote six months after their application is accepted. Then they will become also eligible to contest elections as long as they are paid members to the date of the General Meeting.

SECTION IV - MEMBERSHIP FEE

1. The membership fee shall apply from the date of application and should be renewed yearly according to the date of joining
2. The Council shall establish the membership fee

SECTION V - THE GENERAL MEETING

1. The general Meeting is the highest authority of the association. All paid up members are eligible to attend and vote (see Section III Article 1).
2. The general Meeting shall meet annually and, in any case, not later than three months after the financial year ends.
3. The quorum shall be 50% plus another member of those eligible to vote. If by the time at which the Meeting should have started there is no quorum, the Meeting should convene within half an hour with the members then present.
4. The Agenda of the General Meeting shall be as follows:

Appointment of a Chairman

Minutes

Administrative Report

Financial Report

The President's address

Election of the new Council

Appointment of Auditors

Amendments to the Statute

Motions

5. The Council may convene an Extra-ordinary General Meeting. However, such a meeting may also be convened after 60% of the paid up members request a meeting. Such a call must be in writing and signed by the members requesting an extraordinary ordinary General Meeting, and should be accompanied by the following details: full name of the member and ID number or company registration number, and the reason for calling for the Extraordinary General Meeting.

6. The members should be notified of the General Meeting or an Extraordinary General Meeting together with the Agenda at least fifteen days before the date of the Meeting

SECTION VI - COUNCIL

1. The Council shall be made up of the President, Vice-President, the Secretary General, the Financial Secretary and five other paid up members, one of whom shall be from Gozo.

2. The Council shall meet as need arises and not later than three weeks after the General Meeting

3. The Council may set up committees, commissions, sub-committees and engage individuals for specific jobs. Each committee should be presided by a Council member.

4. The function of the Council is to implement the Association's objectives. Thus the principal function of Council is to set policy and draw up a works programme which is implemented by the other structures of the Association.
5. The Council's agenda must be distributed at least 5 days before each meeting.
6. The Council is obliged to call the Annual General Meeting and any Extra-ordinary Meetings.
7. The Council has the authority to enter into contracts that bind the Association. It is entitled to delegate to the President and the Secretary General and any other person the authority to enter into a contract on behalf of the Association.
8. Council has the right to establish any contact with other organizations. It is also empowered to affiliate the Association with any other organization, both local and international, which promotes the interests of its members.
9. Members of Council who absent themselves for three consecutive Council meetings without a valid reason will be considered as having resigned their post as Council member. Council has the right to co-opt a member if a vacancy arises and to appoint an official from amongst Council members if such a vacancy arises. The appointment of such a member shall be until the next General Meeting in which the members vote to elect the members of the Council.
10. Co-opted members have no voting right at meetings.
11. The quorum for a Council meeting is six members. If a quorum is not attained within thirty minutes, the meeting will commence with the members present.
12. Council has the right to adopt any procedure it seems fit to run its meetings.
13. Every Council member has the right to demand a secret vote.

SECTION VIII - THE EXECUTIVE

1. The Executive is made up of all the officials of the Association.
2. The Executive must meet at least once every month

3. The Executive has the right to adopt any procedure it considers appropriate in the circumstances
4. The Executive's responsibilities include:
 - a) The general administration of the Association according to the policy set by Council;
 - b) The supervision of the execution of policies set by Council;
 - c) Development of proposals to Council for a more effective running of the Association
5. Only the Executive has the right to organize fund raising activities and initiatives.
6. Any member wishing to organise and hold fund raising activities must have the authorization of the Executive, which authorisation must be in writing
7. The Secretary General shall inform Council of the work being carried out by the Executive on a regular basis.
8. The Executive has the right to authorize expenditure not exceeding UR 250.
9. The Executive has the right to take any urgent decision based on the authority of at least three officials. The full body of the Executive must be informed as early as possible and without delay of such urgent action.
10. Any decision taken as per subsection 9 above, must be documented at the first meeting of the Executive together with the reason therefor.

SECTION VIII - NOMINATIONS

1. Members shall be notified of the call for nominations for officials and members of Council together with the Agenda of the Annual General Meeting at least fifteen days before the General Meeting meets.
2. All nominations shall be addressed to the Secretary General at least one week before the General Meeting.

3. All nominations, amendments to the Statute and any Motion presented shall be accompanied by the name, surname, identity number or company registration number, the telephone number and the signature of the respective contestant, the proponent and the person seconding.
4. Elections for Council shall be by secret vote.
5. A nomination is not accepted if the member has not paid the membership fees due to date.

SECTION IX - POWERS AND RESPONSIBILITIES

1. The President shall preside both Council and Executive meetings. The Secretary General shall fill in for the President.
2. The President and the Secretary General together shall be the official and legal and judicial representatives of the Association.
3. The President decides whether or not a member of the Council shall examine any document.
4. The Secretary General is responsible for the general running of the Association's office.
5. The Secretary General has the power to see all correspondence

SECTION X - FINANCE

1. The financial year of the Association ends on 31st December.
2. The Financial Secretary is responsible for the running of finances. The auditors have the right to examine all financial documents.
3. Every Council member has the right to examine the financial documents as long as the Financial Secretary is informed three days in advance.
4. The financial aspect of all activities is the responsibility of the Financial Secretary.

5. The Financial Secretary shall keep an inventory of all items.
6. Any debt incurred by one of the officials or any Association member on behalf of the Association without seeking Council's approval is considered a personal debt incurred by the member in question, unless it is later ratified during a meeting, be it a council meeting, a General Meeting, or a meeting of the Executive.
7. No official is allowed to spend more than EUR 100 without the prior approval of the Financial Secretary.

SECTION XI - GENERAL PROVISIONS

1. The Council is solely responsible for any interpretation of this Statute.
2. The Council shall decide all other matters that are not dealt with by the statute. It shall do so in an open, transparent and non-discriminatory manner wherever this is applicable.

SECTION XII - WINDING UP OF THE ASSOCIATION

1. The Association can only be wound up by a decision of an Extra-ordinary General Meeting called solely for this purpose. Such a decision must be supported by at least 75% of the fully paid members (see Section III, Article 3) who vote. This Extra-ordinary General Meeting should decide about the Assets and documents of the Association.
2. The Extra-ordinary General Meeting should appoint a liquidator for this purpose.