



APA-Statute

Article 1 - Name and Office

- 1.1 The name of the Association shall be “*Autism Parents’ Association (APA), Malta*”, hereinafter referred to as “the Association”.
- 1.2 The Association shall be a non-profit making Association of parents whose children who have been diagnosed as having Pervasive Developmental Disorder, including Autism and Aspergers Syndrome, and no part of income or property shall be available for distribution, directly or indirectly, amongst members.
- 1.3 The Registered Office of the Association shall be situated at the “Rustica, Triq il-Wied, Mosta or at such other place as the Committee of the Association, hereinafter referred to as “the Committee”, may from time to time determine.

Article 2 – Interpretation

In this Statute, unless the context otherwise requires:

“child or children” shall mean any child or young adult who has been diagnosed, by any competent authority, local or foreign, as having Pervasive Developmental Disorder, including Autism and Aspergers Syndrome;

“member” shall mean any parent or carer whose name shall appear on the register of members, having satisfied the requisites established in the Statute.

Article 3 - Objectives

The objective for which the Association is established are:

- 3.1 To unite and represent all persons joining as Members and whose children have been diagnosed as having Pervasive Developmental Disorder, including Autism and Aspergers Syndrome in the Maltese territory.
- 3.2 To promote and safeguard the interests of the Members and their children.
- 3.3 To represent the Members in general on boards, councils, or other associations, whether or not created by law, and whether promoted and appointed by Government or private enterprise, aimed at promoting, improving and generally overseeing or examining the development of the interests of the Members’ children, and all other matters which may promote the public perception of Pervasive Developmental Disorder, including Autism and Aspergers Syndrome.



- 3.4 To promote, foster and encourage at national level the formulation and implementation of legislative measures and policies designed to encourage, assist, and develop children and members, and in particular to guide, assist and encourage the undertaking and implementation of projects, works and exercises designed to aid and facilitate the inclusion of the children in society.
- 3.5 To unite all Members in a common endeavor to establish and thereafter maintain the best possible relations among members of the Association.
- 3.6 To provide forum for regular consultation between members and other related bodies on matters of common interest.
- 3.7 To obtain from members and to maintain available at all times up-to-date statistical and other data as may be deemed necessary or desirable in order to monitor the prevailing situation in Malta.
- 3.8 To obtain from other appropriate sources statistics and other data which may have relevance to the Members.
- 3.9 To promote or oppose legislative and other measures affecting or likely to affect members.
- 3.10 To co-operate with and/or become a member or associate of any organisation, internationally or otherwise, whose main objectives are identical or similar to those of the Association.
- 3.11 To purchase, lease, construct, maintain and alter buildings as necessary or convenient for the purposes of the Association.
- 3.12 To prosecute or defend any suit, application and proceeding before any court or tribunal whatsoever as may in the opinion of the Committee be deemed necessary or expedient in the interests of the Association or its members.
- 3.13 To accept, undertake or execute any trust or gift which may be deemed to be in accordance with or which may further benefit the objectives of the Association or its members.
- 3.14 To contribute, borrow or raise or to secure the payment of money in such manner as the Association shall think fit upon such terms and conditions shall be deemed expedient.
- 3.15 To raise funds by means of subscriptions of members or otherwise for all purposes and objects of the Association in such amounts and in such manner as may be decided by the Committee of the Association from time to time.
- 3.16 To print and publish newspapers, periodicals, pamphlets and other publications, and to disseminate information through any other medium of communication, with respect to



matters relating to the objective of the Association and to promote awareness about Autism in general.

- 3.17 To act on behalf of members to get special deals and deal on behalf of members of the Association with local and foreign providers of Assistance programmes for the members' benefit and/or their children.
- 3.18 To carry out, participate in, and/or promote research on Pervasive Developmental Disorders.

Article 4 – Membership

- 4.1 Membership shall be open to all parents/carers whose children have been diagnosed, by any competent authority, local or foreign, as having Pervasive Developmental Disorder, including Autism and Aspergers Syndrome.
- 4.2 Application for membership shall be in any form as may be prescribed by the Committee.

Article 5 – Cessation of Membership

- 5.1 A member may resign form membership in the Association by means of notice in writing delivered to the Secretary. Resignation by notice as aforesaid shall become effective on the expiration of one month from the date of delivery of the notice or on such earlier date following the said delivery as may be decided by the Committee.
- 5.2 A resigning member shall forfeit the subscription, if already paid, and if unpaid, shall be liable to pay such subscription up to the 31st. March of the year of resignation.
- 5.3. Subject to the provisions of sub-article (5.4) of this Article, the Committee may cancel from the register of members of the Association any member:
 - i. whom the Committee decides to expel from Membership by way of disciplinary action for grave cause taken in accordance with any subject to the terms and conditions of this article;
 - ii. who fails to pay any subscription fee/s which have fallen due in accordance with Art.6.3, within six months from the date on which final notice requesting payment is given to member in writing.
- 5.4 A decision to cancel the membership of a member as aforesaid shall only be taken after the member has been notified in writing of the proposal to cancel membership and its reasons, and the appointed representative of the member has been given the opportunity to be heard at a Committee Meeting called for this pupose. Failure by the appointed representative of the member to appear without reasonable cause at the Committee Meeting



held for this purpose shall be deemed to constitute the member's acquiescence to the proposal.

- 5.5 Any member whose membership of the Association has been cancelled may appeal in writing against such a decision to the Chairperson of the Association within thirty days from the date upon which the decision has been notified. The Chairperson shall refer such appeal to the next General Meeting of the Association, which may quash the Committee's decision and renew the member's membership if a motion to that effect is supported by at least two-thirds of the voting rights of the Association.

Article 6 - Obligations of Members

- 6.1 Every member shall be bound by the obligations imposed upon it by this Statute and shall comply with all decisions taken by the Association or by any organ of the Association in accordance with or for the purpose of this Statute.
- 6.2 No member shall act in a manner which is prejudicial to or incompatible with objectives for which the Association has been constituted.
- 6.3 Every member shall, on being admitted to membership, pay in advance the annual subscription fee as provided by the Committee from time to time. Provided that in all cases, the annual subscription fee due by each member shall be payable by not later than the 31st March of each year.
- 6.4 A register of Members of the Association showing the name and address of each member shall be kept at the registered address of the Association.
- 6.5 The Committee may take any disciplinary measure, including expulsion or suspension of membership, against any member which commits any breach of its obligations as a member.
- 6.6 Members shall not promote or encourage any sort of therapy/service/organization prior to an agreement within the committee. Such organizations, services or treatments should meet specific criteria which may include; membership with nationwide organizations, qualifications, experience, reliability, affordability and continuity.

Article 7 – Associate and Honorary Members

- 7.1 The Committee may appoint as Associate Member of the Association any person or organization who, in the opinion of the Committee, is likely to promote the interest of the Association.
- 7.2 The Committee may appoint any person who, in its opinion, has contributed significantly to the promotion of the goals of the Association as an Honorary Member or an Honorary



Chairperson of the Association. Provided that, at any one time the number so appointed will not be in excess of three(3) persons.

- 7.3 Appointments of Associate Members, Honorary Members, Honorary Chairpersons shall be made by the Committee for such period and subject to such conditions as the Committee may deem fit, and may at any time be revoked by the Committee.
- 7.4 Associate Members and Honorary Members shall not qualify as Members of the Association and they shall not be subject to the obligations or have any rights of members. In particular, they shall not have the right to vote in any meeting or to be represented in Committee Meetings. They shall, however, be entitled to attend General Meetings and to speak and be heard at such meetings. Provided that, the appointment of an Honorary Chairperson shall carry with it the right to attend at all meetings of the Committee and General Meetings.

Article 8 – The Committee

- 8.1 The affairs of the Association shall be conducted by a Committee which shall be composed of five(5) to nine(9) members elected at the General Meeting of the Association when the Committee's term has expired or been terminated, which Committee shall serve for a period of two consecutive years.
- 8.2 The Committee shall be vested with the following functions and responsibilities:
- i. The management of the Association in accordance with the provisions of this Statute;
 - ii. The determination of the Association's policies;
 - iii. The value, from time to time, of membership fees as well as charges for special services and activities;
 - iv. The right to empower any of its members to bind the Association by signed agreements with third parties;
 - v. In addition to the other functions specifically assigned to it under this Statute, the Committee shall be responsible for the management of the affairs of the Association;
 - vi. In the first meeting, the members of the newly elected committee shall elect a Chairperson, Secretary, Treasurer and other roles from among themselves, and these officers together with the other members of the Committee shall hold office for two years until the election of the new Committee.
- 8.3 The Chairperson will be entrusted with chairing the meetings of the Committee, unless same is delegated to another member of the Committee by the Chairperson. S/He shall



also be entrusted with representing the Committee together with other members of the Association in all meetings held with the competent authorities wherein matters concerning the Association and its members' interests are discussed, unless the Committee agrees to delegate such representation to another member or members of the Committee having obtained the prior consent of the Chairperson.

- 8.4 The Secretary shall be entrusted with the administration of the Committee, keeping minutes of all meetings, whether of the Committee or with the competent authorities as well as issuing all the necessary notices as required by the Statute as well as directed by the Chairman, wherever it is deemed necessary and shall also be entrusted with doing any other acts which are deemed to be ancillary with the functions of the Secretary. The Secretary and the Chairperson shall be responsible for drawing up a detailed Administrative Report for the presentation at the General Meeting.
- 8.5 The Treasurer shall be entrusted with the financial administration of the Association, and shall be responsible for carrying out all acts related to the running of the finances of the Association, the Treasurer having to be involved in any financial act carried out by the Committee and Association. The Treasurer shall be responsible for drawing up a detailed Financial Report for presentation at the General Meeting.
- 8.6 The Public Relations Officer will be entrusted with the media exposure of the Association and all issues raised by it and its members, and shall liason with all other Officers in the Committee to ensure that issues are given the right exposure within the local media and community.
- 8.7 The Committee may appoint functions to the various members forming the Committee, as it may be deemed necessary from time to time.
- 8.8 The Committee Members shall hold office in an honorary capacity and shall not be personally responsible for any liability lawfully incurred by the Association.
- 8.9 The Committee Members shall cease to be members of the Committee if they resign or are removed as members of the Association.
- 8.10 Committee Members shall forfeit their seat on the Committee if they absent themselves from Committee meetings on four(4) consecutive occasions for any reason, other than temporary absence from these Islands or prolonged certified illness, provided that such meetings are held within the reasonable intervals being held regularly.
- 8.11 Should any Committee Member behave unethically or goes against the Association's Statute, such Committee Member may be suspended form the Committee and/or even from the Associations's membership, as in the case may be, by the Committee with a vote of absolute majority of 2/3rds plus 1, provided that the meeting shall have the quorum of half of the Committee Members plus one. Furthermore, in the eventuality that a Member's membership has been suspended, the Member may appeal from such a suspension by requesting that an Extraordinary General Meeting be convened as provided



for in clause 10.4, which request has to be made within seven(7) days from the decision of the Committee being communicated to the disciplined Member.

- 8.12 Any vacancy on the Committee which may occur as contemplated in this Statute during the retiring Committee member's term of office, shall be filled by that member who had most votes among those who were not elected in the General Election. If no such "runner-up" exists, a bye-election shall be held.
- 8.13 The Committee shall have the power to delegate all or any of its powers and may also appoint other officials to assist the Committee generally under such conditions as it may deem expedient and assign to them duties as it may deem appropriate.
- 8.14 The Committee may appoint sub-committees and "ad hoc" committees as it may deem necessary, and may also invite any person who is not a member of the Association to attend Committee and any other Meetings.
- 8.15 The Chairperson and the Secretary shall jointly be vested with the legal representation of the Association.

Article 9 – Committee Meetings

- 9.1 A Committee Meeting shall be convened by the Chairperson and shall, unless impeded by a legitimate cause, meet at least once during every three months.
- 9.2 A Committee Meeting shall also be convened at the request in writing of at least two(2) Committee Members, specifying the objects of the requested meeting, in which case the meeting shall be called by the Secretary within five(5) days from the delivery of the request unless such persons requesting the meeting agree to a later date.
- 9.3 Except in cases of urgency, notice in writing of every Committee meeting shall be given to all members at least three(3) days before the date fixed for the meeting, which notice shall specify the matters to be discussed at the meeting and the date, time and place fixed for the meeting.
- 9.4 No member of the Committee may challenge the validity of the proceedings of a Committee meeting for which he was present unless the grounds for such a challenge have been raised during the meeting.
- 9.5 The accidental omission to give notice to any person entitled to receive it shall not invalidate the proceedings of the meeting.
- 9.6 The quorum necessary for the transaction of business at Committee Meetings shall be one half plus one of the elected members provided that if after thirty(30) minutes no such quorum is had, then four(4) elected members present shall constitute a quorum.



- 9.7 Decisions at Committee meetings shall be taken on a show of hands of the members present, each member being entitled to one vote. Provided the Chairperson may elect either to exercise his vote as member or to reserve his vote as a casting vote. Voting by proxy at Committee meetings is prohibited. Provided further that, on request of any one member, voting shall be taken by secret ballot.
- 9.8 Any resolution in writing signed by all the members of the Committee shall be deemed to be a resolution duly passed in a Committee meeting.
- 9.9 Save as otherwise provided in this Statute, the Committee shall regulate its own procedure.

Article 10 – General Meetings of the Association

- 10.1 A General Meeting of the Association shall be held at least once every two years, as the Association's General Meeting.
- 10.2 The General Meeting shall include:
- i. Presentation and approval of the Chairperson's Address;
 - ii. Presentation and approval of the financial statement by the Treasurer, duly approved;
 - iii. Debate any other matter specified in the agenda.
- 10.3 Notice of the General Meeting shall be given in terms of Article 11.1 hereof, and each notice shall contain an invitation to each member wishing to place a motion on the agenda for debate and decision during that meeting to do so in writing by not later than fourteen(14) days before the date of the General Meeting.
- 10.4 Extraordinary Meetings shall be held at such time and place as shall be fixed by the Committee or as provided herein, and shall be convened either on the initiative of the Committee or following a request in writing to the chairperson signed by the majority of fully paid up members of the the Association, stating the object of the meeting and delivered to the Chairperson or to the Secretary.
- 10.5 The Committee shall convene an Extraordinary General Meeting upon the request of members as aforesaid not later than fifteen(15) days following receipt of the request. Provided that failure by the Committee to convene the Extraordinary General Meeting as aforesaid will authorize the members requesting such Meeting to convene the Extraordinary General Meeting themselves.
- 10.6 Except in urgent cases, notice of General Meetings shall be given to all members at least seven(7) days before the date fixed for the meeting, and the notice shall specify the matters to be discussed at the meeting and the date, time and place fixed for the meeting; provided that the accidental omission to give notice of a General Meeting to, or the non-



receipt of the notice by a member entitled to receive notice shall not invalidate the proceedings of that meeting.

- 10.7 General Meeting in which one-fifth of the members of the Association are not represented fifteen(15) minutes after the time appointed for the meeting shall, if requisitioned by members, be dissolved, but in any case shall stand adjourned to fifteen(15) minutes later or to such other day, time and place as the member's represented shall decide, and a meeting so adjourned shall be held irrespective of the number of member's represented.
- 10.8 All General Meetings shall be chaired by the Chairperson or, in the absence of the Chairperson by another Officer, or by a member of the Committee.
- 10.9 Any decision of the Chairperson with respect to the verification of the quorum, the eligibility to vote, the result of the vote, and any matter of procedure, shall be final, save that the decision does not conflict with the provisions of this Statute.
- 10.10 If a decision of the Chairperson on any matter contemplated in sub-article 9 of this article is challenged by a majority of the members represented on the grounds that it conflicts with any provision of this Statute, the matter shall be decided by a simple majority.
- 10.11 No member may challenge the validity of the proceedings of a General Meeting for which he was present if the grounds for such a challenge have been raised and determined during that meeting.
- 10.12 At all General Meetings, each member appearing on the register of members shall be entitled to one vote.
- 10.13 Unless otherwise provided by this Statute, motions at General Meetings shall be approved by a simple majority of the votes cast, whether voting takes place on a show of hands or by secret ballot.

Article 11 – Election of the Committee

- 11.1 Not less than twenty-eight(28) clear days before the date of the General Meeting, the Secretary shall call upon all members to nominate candidates of their choice on appropriate nomination forms circulated for the purpose to contest the General elections to be held during the course of the General Meeting. Such nomination forms, duly filled and signed by the proposer shall reach the Secretary not later than seven(7) days preceding the date of the General Meeting.
- 11.2 On receipt of the nomination within the time limit aforesaid, the Secretary shall compile lists of candidates for the General election. Nominations reaching the Secretary late shall be disregarded. These lists shall then be circulated to members in the course of the General Meeting to be used as ballot papers.



- 11.3 During the Electoral process, each Member shall vote for not more than five(5) candidates appearing on the ballot paper. The five candidates obtaining the highest number of votes shall be declared elected and shall hold office on the Committee as provided for in this Statute.
- 11.4 In the event of a tie, a bye-election will be held at same General Meeting.
- 11.5 Should there be nine(9) candidates contesting the General Elections, there would be no need for an election to be held, and such candidates may be declared as elected without the need of any ballots being distributed in the General Meeting.
- 11.6 In the event that five(5) or less candidates contest the General Elections, there would be no need for an election to be held, and such candidates may be declared as elected automatically without the need of any ballots being distributed in the General Meeting. Furthermore, once the new Committee is constituted, it may co-opt any member or members it may deem fit in order to complete the Committee.
- 11.7 Results of the election will be announced to the General Meeting.

Article 12 – Finance


- 12.1 The funds of the Association shall not be used for any purpose other than the attainment of the objects of the Association.
- 12.2 The Committee shall have the power to raise the funds requested in any manner it deems appropriate.
- 12.3 The financial year of the Association shall terminate on the 31st March each calendar year.
- 12.4 The Committee shall cause such proper books of account to be kept which give a true and fair view of the state of the Associations’s financial affairs and the Treasurer shall in each year cause to be prepared a financial statement of the Association and which shall be circulated to members and laid before the General Meeting.
- 12.5 All cheques, banking and other similar and equivalent documents shall be valid if accompanied by the signatures of the Chairperson and either the Treasurer or the Secretary.
- 12.6 The Treasurer shall deposit such amounts to the funds of the Association as the Committee may deem expedient with a bona fide bank.

Article 13 – Amendments and Dissolution



- 13.1 Motions which propose to revoke or amend any provisions of this Statute, or to dissolve the Association, shall be deemed to be validly approved if supported by the majority of the Committee during a Meeting called for this purpose.
- 13.2 In the event that the Association is dissolved any funds or assets remaining after settlement of all debts, liabilities, costs and fees, shall be transferred to charitable or philanthropical institutions in such manner as may be decided at an Extrordinary General Meeting held for the purpose.
- 13.3 No member of the Association shall be personally responsible for any liability incurred by the Association.

President




Omar Farrugia
ID 393877m

Secretary



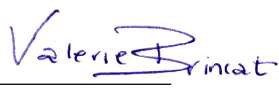
Emma McEwen
ID 0168819L

Treasurer



Brian Ferrante
ID 311475M

Public Relations Officer



Valerie Brincat
ID