THE MALTA CRUISING CLUB STATUTE

1. Name and Registered Address

1.1. The name of the organisation shall be The Malta Cruising Club (the "Club").

1.2. The registered address of the Club is:

Creek Mansions Flt No 1
56, Triq Antonio Nani
Ta' Xbiex XBX 1088
Malta

2. Objectives

2.1. The Malta Cruising Club is a non-profit autonomous organization registered with the Office of the Commissioner for Voluntary Organisations (VO1626) formed to provide specifically for the needs and interests of all those boat owners, crew and those interested or involved in both sail and / or power vessels including but not limited to boat owners and crew.

2.2. The principal aims of the Club are to encourage, develop the enjoyment of recreational boating and cruising activities by means of sail and power vessels, by various means including, *inter alia,* through:

a. The accumulation and distribution of a database of information relevant to all aspects of cruising to all club Members;
b. The publication of a cruising guide to Maltese and central Mediterranean waters in a format that allows for regular updates;
c. Providing information on paper and electronic charts and their periodical updates;
d. Navigational information on lights, times and frequencies of weather forecasts etc;

e. Pilotage and information on foreign ports and anchorages including current regulations of visiting countries / jurisdictions, the availability of fuel, provisions and local contacts and facilities and other relevant aspects of cruising;
f. Flags, signaling and yachting etiquette;
g. Organising “cruising in company” or rallies to Mediterranean destinations;
h. Camaraderie and social interaction through fostering a sense of community among its Members. This includes organising social events, educational programs, and networking opportunities for boaters to connect, share experiences, and build friendships within the Club;
i. Serving as a collective voice for boaters and cruisers in matters related to legislation, regulation and policies involving recreational boating and ensuring all Club activities are in compliance with local, national, and international maritime laws and regulations while encouraging responsible behavior of its Members while cruising in the Mediterranean waters.

2.3. The Club shall provide informal instruction for skill development and educational opportunities and resources during the winter, comprising refresher courses and discussion to enhance boating skills, knowledge and safety to include items such as:

a. Navigation, including the use of radar and electronic charts etc;
b. Man overboard procedures;
c. Dealing with heavy weather;
d. Diesel engine maintenance and repair;
e. Wireless communication;
f. Cruising experiences;
g. Cruising destinations;
h. Weather forecasting and meteorology;
i. Exchange of knowledge, information and experience accumulated by Club Members.

2.4. The Club shall build up a liaison network with overseas clubs and organizations in order to facilitate information sharing between such groups.

2.5. The Club shall provide opportunities for Members to meet potential crew.

2.6. The Club shall build a database on the location and availability of items of equipment with reviews of their function based on feedback from Members and other sources of information and make such database and information available to all Club Members.

2.7. The Club shall represent the general interests of all its Members and endeavour to continuously improve cruising activities.

2.8. The Club may undertake all necessary acts and omissions conducive to the proper functioning, operation and for the proper attainment of its aims and objectives. This includes but is not limited to entering into agreements, deeds or contracts with third parties, operating bank and other accounts, employ staff, engage advisers and consultants through decisions taken by its duly appointed Committee. The Club is authorised within the aims and objectives referred to and the spirit thereof to do all such acts as may be necessary and required to function smoothly and properly.

3. Membership

3.1. Full membership is open to persons who are eighteen (18) years of age and above.

3.2. Only fully paid-up members in terms of Clause 6 of this Statute shall enjoy voting rights (the “Members”).

4. The Committee and Officers of the Association

4.1. The Management of the Club shall be vested in a committee consisting of six members (the “Club Committee” or the “Committee”) who shall be elected by a majority vote of the eligible voting Members present at the designated Annual General Meeting. The term of office for committee Members shall be for a period of two years and each Committee Member shall be eligible for re-election for subsequent terms of two (2) years each.

4.2. The Club Committee shall consist of the Commodore, Honorary Secretary, Honorary Treasurer and Three (3) other Members in order of seniority.

4.3. The founding administrators of the Malta Cruising Club when it was established in 2005 were Prof Antony de Bono, Mr. Roland Darmanin Kissaun, Prof Daniel Darmanin, Prof Edward Scicluna, Mr. Shawn Spiteri Duca.

4.4. The current Administrators of the Club are:

Commodore	Austin Calleja	*356254M*	*72 Dawret Qalb Imqaddsa, Birzebbugia BBG1601- Malta*
Hon Secretary	Nicholas Attard	*183082M*	*Robin, Triq Bur it-Tokk, Siggiewi SGW 2633 - Malta*
Hon Treasurer	Victor Taliana	*195855M*	*14, Blossom Court, Flat 7, Triq Antonio Sammut, Gzira GZR 1571 - Malta*
Member	Patrick Genovese	*375870M*	*289, Triq il-Kostituzzjoni, Mosta, MST9052 - Malta*
Member	Chris Sciberras	*400264M*	*26 Triq l-Imsagar, Attard ATD 2365*
Member	Claude Vella	*152678M*	*38 Triq id-Dorga Attard - Malta*

4.5. The legal and judicial representation of the Club shall be vested in any two Committee Members jointly.

4.6. The Honorary Treasurer shall be the Club's financial adviser and shall be responsible for all financial matters pertaining to the Club. He shall be responsible for, *inter alia*, supervising the Club accounts, the preparation and presentation of financial statements to the Members at the Annual General Meeting. The financial statements prepared by the Honorary Treasurer shall be reviewed at the end of the year by another member of the Club designated by the Committee. However, if the revenue of the Club exceeds Euro 50,000 in one calendar year, then the financial statements will have to be reviewed and signed by a certified accountant who shall not be an administrator, a member or an employee of the Club.

If the revenue of the Club exceeds Euro 250,000 then, the financial statements for that year must be audited and signed by a certified auditor who shall not be an administrator, a member or an employee of the Club. All financial transactions relating to the Association shall require the signatures of both the Honorary Treasurer and the Commodore or in the absence of one or both, by any other two Committee Members duly authorized by the Committee. Provided that all financial transactions occur with the signatures of two (2) duly authorized Committee Members.

4.7. No part of the income, capital or property of the Club shall be available directly or indirectly to any officer, Member, administrator, donor, or other private individual for the benefit of their private interest whether financial or otherwise.

4.8. The Committee shall have the power to draft any bylaws it may deem necessary, provided such bylaws are not in conflict with this Statute or the Laws of Malta. The Committee shall cause any such bylaws to be communicated to all Members and shall be available for inspection at any reasonable time the Committee shall determine.

4.9. Meetings of the Committee shall be chaired by the Commodore or in his absence by any other member of the Committee present.

4.10. Decisions requiring a vote to be taken shall be based on a simple majority vote, with the Commodore having a casting vote.

4.11. Meetings of the Committee shall be called by the Hon Secretary and seven days' notice shall be given.

4.12. The quorum necessary to constitute a Committee meeting shall be four voting members of the Committee. If after fifteen minutes, there are less than four members, the meeting shall stand adjourned to the next week at the same day of the week, time and place and at such adjourned meeting the Committee Member or Members present shall constitute a quorum.

4.13. The Committee may appoint sub-committees with such chairpersons, Members and powers as it deems fit. Chairpersons of such sub-committees may co-opt such members as they deem necessary. Co-opted members can be invited to attend meetings of the Committee. Committee members are entitled ex-officio to attend any sub-committee meeting.

4.14. Any Committee Member who fails to attend three meetings held in the term of office of the same Committee shall be required to stand down if a majority vote so determines.

4.15. Should a Committee Member resign during his term in office any Member or Members of the Club may be co-opted at the Committee's discretion to serve in the Committee until the next Annual General Meeting (AGM) to replace the resigned member. The Committee shall consist of not more than two (2) co-opted members between one AGM and another.

4.16. The Committee may nominate an Honorary Commodore, the role of whom shall be that of passing his experience to Committee Members and acting on behalf of the Committee during meetings with other clubs. The Honorary Commodore may attend Committee meetings but shall not have voting rights.

5. Election of Club Members

5.1. The election of Members is vested in the Committee, and should any question arise in respect of any candidate his or her election shall be determined by simple majority vote. Each application shall be made on the appropriate form issued by the Committee, shall be duly proposed and seconded by two Members, and shall be accompanied by payment of the Application Fee where required. Should the application be rejected, the Application Fee shall be refunded.

5.2. A written notice of election shall be sent to each newly elected Member, together with a copy of the Statute and a request for payment of the Membership Fee in terms of Clause 6.2 below. Membership shall not become effective until the Membership Fee has been paid in full.

6. Fees

6.1. Applications for full membership shall be subject to payment of an application fee (the "Application Fee"), which fee shall be determined by the Committee. The Application Fee from 1st January 2023 shall be €20.

6.2. The subscription for full membership shall be €30 annually (the "Membership Fee"). The Committee shall have the power at any time to alter the amount of annual subscription providing that the variation does not exceed twenty percent of the Membership Fee in one calendar year.

6.3. Members joining the Club between 1st January and 30th June in any year shall pay the full Membership Fee. Members elected between 1st July and 31st December shall pay one half of the Membership Fee for the year of election.

6.4. Membership Fees are payable annually in advance on January 2nd and not later than 31st January. Members are responsible for payment of their subscription and the Club shall not be responsible for sending any renewal notification. In the event that any Member falls into arrears with their subscription after the 31st January, their participation in and access to the Club's functions and facilities shall be revoked. In the event the subscription is not paid by the 30th June of the year for which it was due, the Club membership of the individual shall be automatically terminated.

6.5. The first Membership Fee payment shall be an acknowledgement by the Member that he or she is bound by the Statute and Byelaws of the Club, including all amendments and additions duly made to them.

7. General Meetings

7.1. At least 14 days' notice of any General Meeting (the "General Meeting") shall be given to all Members. Due notice of a General Meeting shall be deemed to have been given on the day on which it was posted (by ordinary post or electronic mail), addressed to the Member at the last known address according to the Club register. Notice of any motion or proposal shall also be circulated 14 days in advance together with the agenda.

7.2. To constitute a quorum at a General Meeting, there shall be present at least 10% of those Members eligible to vote, provided that if the required number of Members is not present thirty minutes after the time fixed for the Meeting, the Members present shall constitute a quorum.

7.3. General Meetings shall be chaired by the Commodore of the Club or in his absence by the most senior Club Officer present.

7.4. Decisions at any General Meeting shall be taken on the basis of a simple majority vote, with the exception of decisions regarding amendments to the Statute or Dissolution of the Club which will require a two-thirds majority of the Members present and entitled to vote. The chairman of the Meeting shall have a casting vote.

7.5. An Annual General Meeting (the "AGM") shall be held at or before the end of February of each year for the following purposes to be considered in the order listed:

7.5.1. Approval of minutes of previous General Meeting/s.

7.5.2. Receiving and discussing the reports of the Commodore and of the Honorary Treasurer and approval of the financial statements of the previous year.

7.5.3. Transacting any business of which due notice has been given.

7.5.4. Appointing electoral commissioners.

7.5.5. Closure.

7.6. All proposals for items of business to be discussed at the Annual General Meeting shall be seconded and submitted in writing to the Secretary at least fourteen days prior to the date of the Meeting.

7.7. An agenda of all business to be brought before the Annual General Meeting, together with the minutes of the previous general meeting/s to be approved during the AGM and a copy of the financial statements for the previous year, shall be available for inspection in the Club's registered address to Club Members at least seven days before the date of the Meeting.

7.8. Two separate attendance sheets shall be available to Members at any general meeting, one to be signed by Members present carrying voting rights and one to be signed by Members present not carrying voting rights.

7.9. Three electoral commissioners (the "Electoral Commissioners") shall be elected by the Members present at the AGM. A ballot box will be made available for Members to cast their votes for the election of the new Club Committee until fifteen minutes after the closure of the AGM.

7.10. The Electoral Commissioners shall announce the result of the election as soon as possible after the conclusion of voting. In the event of a tie the election shall be settled by drawing lots by the Electoral Commissioners.

7.11. The Commodore shall call an extraordinary general meeting if required by the Committee, or if requested in writing to do so by not fewer than 10% of the voting Members. Not less than fourteen days' notice of such meeting shall be given, and the notice shall specify the business to be conducted. No other business shall be conducted at that meeting.

8. Election of Committee

8.1. Names of candidates for election to the Committee, duly proposed and seconded by Members carrying voting rights, shall be submitted on the prescribed form to reach the Secretary at least fourteen days before the date of the AGM, and shall be available at the registered office of the Club not less than ten days before the date of the Meeting. Candidates for election to the Committee must be fully paid-up members of the Club for at least two consecutive years prior to the date of the Annual General Meeting.

8.2. Election of membership to the Committee shall be by secret ballot, at the Annual General Meeting. A ballot box will be made available at the AGM. Members entitled to vote may cast their votes for the election of candidates to the Committee. Votes will be cast on the prescribed ballot sheets.

9. Reciprocal Agreements

9.1. The Club may enter into reciprocal arrangements with other yacht clubs when the Committee considers it to be of benefit to do so. Members of such clubs shall be deemed temporary members of the Club and shall not be afforded all the rights of paid up Members of the Club.

10. Discipline

10.1. The Committee, at its own discretion, may investigate violations or actions of any Member which are considered to be contrary to the accepted standards of behaviour of the Club whether such violation/action takes place during or outside an event organized by the Club. The Committee may, by simple majority vote, penalize

the Member concerned by suspending them from participation in any number of Club activities as may be deemed appropriate.

10.2. It shall be the duty of the Committee, if at any time it shall be of the opinion that the interests of the Club so require, to invite by letter any Member to resign from the Club within the time specified in such letter, giving the reasons. In default of such resignation the Committee shall invite the Member in question to make representations, verbally or in writing, as to why he or she should not be expelled, following which the proposal to expel such a Member shall be put to a simple majority vote of a Committee meeting to be held at the earliest opportunity. Decisions taken by the Committee in this respect shall be final and not subject to appeal.

10.3. Members of the Club shall at all times adhere to the below:

10.3.1. Members shall avoid behaviour that might bring the good name of the Club into disrepute.

10.3.2. Members shall be solely responsible for any guest they invite to any Club event for the duration of such event.

10.3.3. During a Club event Members and their guests must comply with all applicable laws and regulations as well as rules outlined in this Statute. It is expected that all Members and their respective guests should conduct themselves in a manner that demonstrates courtesy and respect towards other fellow Members, guests, service providers or individuals encountered during Club events.

10.3.4. Members and their guests shall refrain from behavior which is likely to intimidate, offend, insult, humiliate or discriminate against any other person. This includes but is not limited to physical violence, swearing, or heated arguments at Club events.

10.3.5. Members shall ensure that any minor under the age of eighteen (18) years in their charge is kept safe and kept under their supervision. Children who are twelve (12) years of age and under must not be left unattended at all times.

10.3.6. Members' pets may be allowed at Club events provided clearance is sought from the owners of the premises where the Club event is taking place and that such pets are kept under their owners' control at all times and that they are not a nuisance or a threat to the health and safety of other Members or guests. Service animals including guide dogs shall be allowed at Club events in accordance with the laws and regulations, provided they are under the control of their handlers at all times.

10.3.7. Any Member or guest who is believed to be in breach of any sub clause of this Clause 10 shall be required to immediately leave the venue where the Club events are taking place.

10.4. Any Member found to be in violation of the Club's rules, regulations, code of conduct, policies or this Statute shall be subject to disciplinary action. Violations may include, but are not limited to, unsafe sailing practices, damage to Club property, non-compliance with safety guidelines, breach of Club policies, or any actions that may jeopardize the safety or good repute of the Club or its Members as indicated in Clause 10.3 above.

10.5. The disciplinary process following a violation of Club rules in terms of this Clause 10 shall follow the ensuing procedure:

10.5.1. Upon receiving a complaint or the Club Committee becomes aware of a potential violation the Club shall initiate an investigation. The investigation may involve gathering information, interviewing witnesses, reviewing any available evidence, and consulting relevant authorities or experts if necessary.

10.5.2. If the investigation reveals sufficient evidence to support the allegation, the Member against whom the allegation is made (hereafter referred to as the "Notified Member") shall be provided with a written notice detailing the alleged violation and invite the Notified Member to explain their actions in writing within a period of one week from the date the notice was sent. The notice shall be delivered in person or sent via email to the Notified Member.

10.5.3. The Club Committee shall appoint a Disciplinary Board which will consist of three (3) impartial Club Members who have no personal interest in the matter being heard. In instances where the Committee believes that the alleged violation is a serious matter, it may choose to appoint to the Disciplinary Board one or more independent persons who are not Members of the Club. The Disciplinary Board has the responsibility to examine the written reports of the Notified Member/s together with all other relevant documents and reports pertaining to the alleged violation.

10.5.4. The Notified Member shall have the right to request a hearing in front of the Disciplinary Board and present their case provided they do so in writing and include such a request in their report. The Disciplinary Board may request the Notified Member to meet the Board for clarifications or to provide additional information. The Notified Member shall be granted a fair and impartial opportunity to respond to the allegations and provide further relevant information to the Disciplinary Board.

10.5.5. The Disciplinary Board shall make a recommendation regarding the disciplinary action to be taken by the Club to the Club Committee within two weeks from receipt of the submissions of the Notified Member. The decision

shall be based on the information contained in the documented evidence and statements made available to the Disciplinary Board.

10.5.6. The Club Committee shall have the exclusive right to determine the extent to which the Disciplinary Board's recommendations are implemented. The final Committee decision shall be communicated to the Notified Member in writing within a reasonable timeframe. The decision shall specify the findings, any imposed action, and the effective date on which the disciplinary action shall apply.

10.5.7. The Club Committee's decision in this respect shall be final and not subject to appeal.

10.6. The Committee shall have the right to enforce the following disciplinary actions:

10.6.1. The Committee may issue a formal written warning to the Notified Member, indicating that their behavior has been noted and that further violations may result in more severe consequences.

10.6.2. In cases where the violation is deemed significant or poses a threat to the health and safety of Members, the Committee may impose a temporary suspension of the Notified Member's privileges. The duration of the suspension shall be determined by the Committee, taking into account the severity of the violation and the potential risk involved.

10.6.3. In cases of serious or repeated violations, or when the violation poses a significant risk to the Club or its Members, the Committee may choose to expel the Notified Member. Expulsion results in the immediate termination of the Notified Member's Club membership and the loss of all rights, privileges, and benefits associated with the Club for a period to be determined by the Committee.

10.6.4. In addition to the above disciplinary actions, The Committee may, at its discretion, impose additional penalties upon the Notified Member including reimbursement of expenses for damages to Club property, or any other measures deemed appropriate and commensurate to the violation. The disciplinary actions outlined in Clause 10.6 above shall not be exhaustive, and the Club reserves the right to take any other appropriate actions or measures as necessary to address violations, protect the safety of its Members, and uphold the integrity of the Malta Cruising Club.

10.7. All disciplinary proceedings and related information shall be treated as confidential to the extent possible in order to protect the privacy and reputation of the involved parties. The Club reserves the right to disclose any and all such information if required by law or for the purpose of ensuring the safety and well-being of its Members and the sailing community.

11. Amendments to the Statute

11.1. This Statute may be amended or repealed by resolution at an Annual or Extraordinary General Meeting, carried by a majority of at least two-third of the Members present and voting.

12. Dissolution of the Club

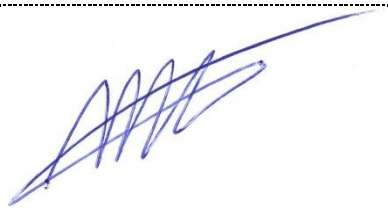
12.1. The Club shall be dissolved if it is so resolved by a majority of not less than two-thirds of Members present and voting at an Extraordinary General Meeting called for in accordance with Clause 7.11.

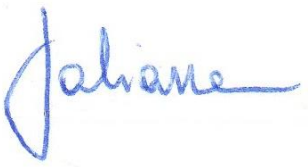
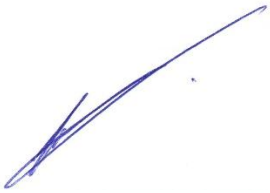
12.2. On the passing of a resolution for dissolution of the Club, the Committee shall appoint Trustees forthwith, or at such date as shall be specified in such resolution, who shall proceed to realize the property of the Club and, after discharge of all liabilities, shall propose to the Committee a suitable non-profit organization to whom the assets of the Club should devolve. The Trustees shall give full consideration to any directions given by the Committee in this regard. Upon the approval by the Committee of the transfer of its assets, the Club shall be dissolved.

13. Interpretation of the Statute

13.1. The Committee shall be the sole authority for the interpretation of this Statute and any byelaws made thereunder. The decision of the Committee shall be final and binding on all Club Members.

14. Administrators of the Club

Commodore	Austin Calleja	
Hon Secretary	Nicholas Attard	

Hon Treasurer	Victor Taliana	
Member	Patrick Genovese	
Member	Chris Sciberras	
Member	Claude Vella	

Malta Cruising Club

Statute last amended in an AGM dated 26th January 2025