

THE MALTA COMMUNITY CHEST FUND STATUTE

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1. NAME OF THE ORGANISATION

The name of the Organisation shall be the **MALTA COMMUNITY CHEST FUND**, hereinafter referred to as “The Fund”.

2. CONSTITUTION

2.1 The Fund is a Philanthropic Organisation, which is hereby established by The President of the Republic of Malta, hereinafter referred to as “The President”.

3. DISSOLUTION

3.1 The Fund can only be dissolved by a decision of The President, subject to his giving public notice of this dissolution. Upon this decision, The President shall present a true copy of the financial records of The Fund.

4. REGISTERED OFFICE

4.1 The registered office of The Fund is the official address of The President.

5. LOGO

The logo of the organisation shall be as per illustration below:



6. OBJECTS AND AIMS

The objects and aims for which The Fund is constituted are as follows:-

- a. to receive donations, contributions, proceeds from fund-raising activities, bequests and endowments;
- b. to organise fund-raising activities for the benefit of the fund;
- c. to provide funds for the relief of poverty, famine, distress, sickness, disability and/or any other needs to individuals, communities, institutions or organizations, whether in cash or in kind;
- d. to provide education and support to children who have been in care systems and/or underprivileged children;
- e. to promote, through grants or scholarships specialisation in the field of charity organisations; and
- f. to support persons with specific needs, in particular in assisting these persons to have a better quality of life and to gain a higher degree of independence and self-reliance.

7. ADMINISTRATION AND FUNCTIONING

7.1 The administration of the affairs of The Fund shall be vested in the Malta Community Chest Fund BOARD, which shall be set up by The President, hereinafter referred to as the “BOARD”.

7.2 The BOARD is chaired by The President as the Chairperson. The President as Chairperson of the BOARD may, as he deems necessary and upon his discretion, request that his advisors attend the meetings of the BOARD.

7.3 The BOARD shall be composed by ‘appointed members’ as appointed by The President and by ‘representative members’ appointed as to one each by the following:

- a. His Grace The Archbishop;
- b. each of the political parties represented in Parliament;
- c. the Confederation of Malta Trade Unions;
- d. the General Workers’ Union;
- e. the Chamber of Commerce
- f. the Federation of Industry;
- g. the Public Broadcasting Services Ltd (appointing 2 members);
- h. the Malta Council for Voluntary Organisations;
- i. the National Youth Council of Malta;
- j. the Malta Federation of Organisations of Persons with Disability;
- k. the National Commission Persons with Disability; and
- l. any other Organisation/Institution as the Board may decide.

7.4 No member of the BOARD shall receive any form of remuneration.

- 7.5** The BOARD shall have the following officers, from among its members, who shall be appointed by The President:
- a. Vice-Chairperson.
 - b. Secretary.
 - c. Treasurer.
 - d. Public Relations Officer.
- 7.5.1** The BOARD may nominate from among its members, persons to advise and assist these officers.
- 7.6** The ‘appointed members’ shall not include persons who are either Members of the House of Representatives, or candidates who have contested the immediately preceding National General Elections, European Parliament Elections and Local Council Elections or who will be contesting a publically declared National General Elections, European Parliament Elections and Local Council Elections.
- 7.7** The ‘appointed members’ shall not include officials of any local political party or Trade Union found in Malta and Gozo and/or internationally.
- 7.8** The ‘appointed members’ of the Board shall hold office up to the 31st day of March of each year after. However, they shall remain in the office, unless a registered letter duly notifies them that their services are no longer required by the 15th April of that same year.
- 7.9** All ‘appointed members’ should resign at the end of the term of office of The President.
- 7.10** All ‘appointed members’ resigning at the end of term of office of The President, may be reappointed as members of the BOARD by The President for the new term of office.
- 7.11** Any of the ‘appointed members’, who although duly notified, does not attend four (4) consecutive board meetings without a reasonable justification for his/her absence, will have his/her appointment terminated by The President and will be duly notified by a registered letter sent at his/her last known address.
- 7.12** The ‘representative members’ of the BOARD may be withdrawn and/or replaced by the entity and/or person they represent.
- 7.13** The BOARD shall meet at least once every month. A quorum of at least fifteen (15) members shall be necessary at board meetings.
- 7.14** The BOARD may engage individuals as would be needed for the proper and immediate conduct of business, which shall be agreed upon by a two-third (2/3) majority vote of the board members present at a board meeting.

8. MEETINGS AND PROCEEDINGS

- 8.1** Date and place of the next BOARD meeting must be always set before the adjournment of every board meeting.

- 8.2** The Chairperson may call an urgent BOARD meeting at his discretion. On such occasions, the agenda is set by the Chairperson and board members must be notified as soon as possible.
- 8.3** Should the Chairperson or Vice- Chairperson be unable to preside a BOARD meeting, the present board members shall appoint a Chairperson from among them to preside the meeting by a simple majority vote of the board members.
- 8.4** Motions presented during meetings of the BOARD:
- a. shall be notified to all the board members at least four (4) working days from the date of the next board meeting at which the motion will be discussed; and
 - b. unless hereinafter regulated, shall be approved by a two-third (2/3) majority vote of the present board members.
- 8.5** The presiding Chairperson shall also have the right to a casting vote in the case of a tie of votes on a motion presented during a meeting of the BOARD
- 8.6** Any board member may ask for a secret vote on a motion presented during a BOARD meeting.
- 8.7** The secretary to the BOARD shall keep detailed minutes of all the board meetings, which, once reviewed and approved by the board members present shall be signed by the Secretary and the Chairperson presiding the board meeting
- 8.8** Draft minutes shall be circulated during all board meetings for review by the board members present prior to approval by the board members present and signature by the Secretary and the Chairperson.
- 8.9** Official minutes shall only be deemed as those minutes, which are signed by the Secretary and the Chairperson. Any other minutes shall be considered as draft minutes of the BOARD meetings.
- 8.10** All official minutes taken by the Secretary of the BOARD shall be dated and numbered consecutively and shall be conserved in an organised manner at the official address of the Organisation. All documents received and/or distributed during BOARD meetings shall be attached to the minutes and shall also be conserved in an organised manner at the official address of the Organisation.
- 8.11** The official minutes of any BOARD meeting shall at all times be made available on request by any member of the BOARD. However, copies of the official minutes may not be withdrawn by anyone except the President as Chairperson of the BOARD.

9. FINANCES AND ACCOUNTS

- 9.1** The Treasurer is responsible to ensure proper upkeeping of the books of accounts, and at all times, these should be available for inspection by any member of the BOARD.
- 9.2** All funds received shall be inputted in the Malta Community Chest Fund Database software system.

- 9.2.1** A system-generated receipt shall be issued for all funds received which are inputted in the Malta Community Chest Fund Database software system.
- 9.2.2** All receipts issued accordingly shall be signed for by the Treasurer or by his/her authorised signatory.
- 9.2.3** Donations by anonymous persons/entities shall also be receipted by means of a system generated receipt. In this case only, the issued receipt will be filed and conserved in an organised manner at the official address of the Organisation.
- 9.2.4** In the eventuality that the database software system is not functioning, all funds shall be receipted on pre-numbered receipt books in duplicate, which will be subsequently inputted in the database software system once this is restored.
- 9.3** The Board shall each year prepare financial statements made up to the 31st day of March.
- 9.3.1** Provided that financial statements shall also be prepared for the period from the end of the immediately preceding financial year to the date of termination of office of The President.
- 9.4** The financial statements shall be audited and certified by a firm of Certified Public Accountant and Auditors or two persons who hold the warrant of certified public accountants and auditors under the Accountancy Professions Act, 1979.
- 9.5** Within five (5) months from the financial year-end the audited financial statements shall be published in not less than two daily local newspapers, one of which must be in the English and another in Maltese.
- 9.6** The audited financial statements shall be approved by the board members present during the BOARD meeting and shall be signed by the Chairperson and the Treasurer of the BOARD.
- 9.7** The BOARD shall appoint or reappoint the auditors for the next financial year.
- 9.8** The Books of Accounts of the Malta Community Chest Fund shall be kept up to a period of ten years at the official address of the Organisation.
- 9.9** The monies of the Organisation shall be deposited in a Bank account and/or otherwise invested as decided by two-thirds (2/3) of the present board members during the BOARD meeting.
- 9.10** During the monthly board meetings, the Treasurer shall present monthly accounts to the BOARD showing the income and expenditures balance of funds and the total committed funds at the end of the month preceding the immediate board meeting.
- 9.11** Cheques and other credit instruments shall be signed by two out of three persons appointed by the BOARD, one of whom should be the Treasurer. If the Treasurer is unavailable, this can be signed by the Secretary of the BOARD.

10. WORKING COMMITTEES OF THE MALTA COMMUNITY CHEST FUND

- 10.1** The BOARD shall set up Working Committees, as it deems necessary.
- 10.2** The Working Committees shall consist of a Chairperson, who shall be the Vice-Chairperson of the BOARD, or a person designated by the said Vice-Chairperson and any person chosen preferably from amongst the board members.
- 10.3** The main functions of the Working Committees of The Fund consist of:
- a. Assessing the requests for assistance made to The Fund.
 - b. Presenting the Working Committees' recommendations to the BOARD following the assessment for assistance, including funds made to The Fund.
 - c. Any other function as deemed necessary by the Chairperson or Vice-Chairperson of the BOARD.

11. DISTRIBUTION OF FUNDS

- 11.1** The disposal and distribution of available funds shall be the responsibility of the BOARD and of the Working Committees as empowered by the board itself.
- 11.2** All applications or requests received for assistance shall be inputted in the Malta Community Chest Fund database software system, which shall be kept by the Secretary of the BOARD or his/her delegate.
- 11.3** The Malta Community Chest Fund database software system shall contain and include all the following indispensable details with regard to the applications for the requests for assistance:
1. the date of the application for the request for assistance and/or funds;
 2. the name, surname, address and identity card number of the applicant and any other related supporting documents;
 3. whether the applicant has previously benefitted from The Fund;
 4. the purpose of the assistance needed;
 5. if any form of assistance was already given by other persons/entities to the same request;
 6. the amount of funds requested and/or the type of assistance needed;
 7. the assistance which is being recommended by the BOARD or by the Working Committee;
 8. if the request for assistance or funds is being refused, a note for refusal is to be appended;
 9. the date on which the BOARD considered the application following the recommendation of the Working Committee;
 10. the assistance to be given or the donation endorsed by the BOARD; and
 11. the date on which this decision is executed by giving the assistance and/or the donation requested.
- 11.4** All forms of assistance have to be approved by two-thirds (2/3) of the board members present during the BOARD meeting, with the presiding Chairperson having a casting vote.

- 11.4.1** This approval must include the signature of the Vice- Chairperson of the BOARD and the signature of the Secretary of the BOARD for such decision to be executed accordingly.
- 11.5** No donations exceeding ten thousand Euros (€10,000), shall be made to a single beneficiary during one financial year, unless otherwise authorised and approved by two-thirds (2/3) of the board members present.
- 11.5.1** This approval must include the signature of the Vice- Chairperson of the BOARD and the signature of the Secretary of the BOARD for such decision to be executed accordingly.
- 11.6** If the case arises that a Charitable Institution/Organisation requests assistance, including funds for a specific project and/or services, a decision to grant this assistance, including funds to such Charitable Institution/Organisation for this project and/or services must be approved by two-thirds (2/3) of the board members present.
- 11.6.1** This approval must include the signature of the Chairperson of the BOARD and the signature of the Secretary of the BOARD for such decision to be executed accordingly.
- 11.6.2** A designated person from the BOARD must be appointed by the Chairperson of the BOARD, who will be responsible for the monitoring of the project and/or services and will have the duty to inform the board with monthly updates.
- 11.7** For the purpose of this sub-section, Charitable Institutions/Organisations shall be considered to be a single beneficiary irrespective of the number of persons it assists.
- 11.8** During the monthly board meetings, the Secretary of the BOARD shall present a monthly statement to the BOARD of the requests made to The Fund for any form of assistance.
- 12. SUB-COMMITTEES OF THE MALTA COMMUNITY CHEST FUND**
- 12.1** The Malta Community Chest Fund Chairperson may appoint sub-committees to assist in achieving any of its objectives.
- 12.2** All sub-committees shall consist of a Chairperson, who shall preferably be a member of the BOARD and any number of persons as deemed necessary.
- 12.3** Once a sub-committee has been appointed and set up, the Chairperson of the BOARD, shall be informed by the Chairperson of this sub-committee of the members of the subcommittee, and shall approve these sub-committee members by means of a signed approval in writing.
- 12.4** Sub-committee members shall not include persons who are Members of the House of Representatives or candidates either who have contested the immediately preceding National General Elections, European Parliament Elections, Local Council Elections or will be contesting the imminent National General Elections, European Parliament Elections, Local Council Elections.
- 12.5** All sub-committees are obliged to keep the Chairperson of the BOARD duly informed on their activities by means of a report, which will be presented during the monthly board meetings.
- 12.6** The BOARD shall, with the signed approval of the Chairperson of the board:

- a. set the terms of reference of all the sub-committees;
- b. amend the terms of reference when necessary; and
- c. decide on the terms of the sub-committees.

13. REPRESENTATION

13.1 Deeds of whatsoever nature and any other documents binding The Fund with third parties and third parties with it shall be signed by the Chairperson and the Secretary of the BOARD.

13.2 The Secretary and the Treasurer of the BOARD shall represent The Fund during judicial proceedings.

14. REVISION OF THE STATUTE AND AMENDMENTS

14.1 The revision of the statute and/or any amendment/s may only be made at an Extraordinary Board Meeting called for by the BOARD.

14.2 Notification of an Extraordinary Board Meeting shall be given to all the members of the BOARD at least fourteen (14) days before the meeting by registered post at their last known address.

14.3 Any revisions to the statute and/or any proposed amendment/s shall be notified to all board members during the immediately preceding meeting prior to the extraordinary meeting.

14.4 Any revisions to the statute and/or any proposed amendment/s shall require the approval of two-thirds (2/3) of the members of the BOARD and shall become effective on the signature of the chairperson.

15 The BOARD and all those present at board meetings, acknowledge the right to confidentiality and will not divulge any information on discussions, motions and decisions, which took place during BOARD meetings.

15.1 Any personal information, which is communicated to The Fund, is kept to be kept strictly confidential by all board members and will only be processed in accordance with the Data Protection Act 2001. Personal information will only be collected in the Malta Community Chest Fund Database if this information is voluntarily provided in the applications for assistance.

This revised Statute of the Malta Community Chest Fund was approved at an Extraordinary Board Meeting held under the Chair of **His Excellency Dr George Abela, President of Malta** on the _____, 2009 at San Anton Palace, H'Attard, Malta.

The Malta Community Chest Fund Statute

Chairperson

Vice –Chairperson

Secretary