



**KAMRA MALTJA GHALL-MANIGMENT TAL-
KOSTRUZZJONI**

STATUTE

MALTA CHAMBER OF CONSTRUCTION MANAGEMENT
PROFESSIONALISM, INNOVATION, AND QUALITY IN CONSTRUCTION MANAGEMENT

TABLE OF CONTENTS

SECTION 1 ASSOCIATION, AIMS & MISSION STATEMENT.....	1
SECTION 2 OFFICES AND OFFICIAL LANGUAGE OF THE CHAMBER	8
SECTION 3 MEMBERSHIP	9
SECTION 4 ORGANS OF THE CHAMBER.....	16
SECTION 5 THE COUNCIL	17
SECTION 6 OFFICERS OF THE COUNCIL	21
SECTION 7 COMMITTEES AND OTHER OFFICERS.....	24
SECTION 8 ELECTORAL COMMISSION	25
SECTION 9 ELECTIONS TO THE COUNCIL.....	26
SECTION 10 GENERAL MEETINGS.....	29
SECTION 11 DISCIPLINARY AND OTHER ACTION.....	34
SECTION 12 FINANCE, ACCOUNTS, INVESTMENTS & ADMINISTRATION	36
SECTION 13 COMMITMENTS ON BEHALF OF THE CHAMBER.....	38
SECTION 14 DISSOLUTION AND DISTRIBUTION OF ASSETS	39
SECTION 15 OTHER PROVISIONS	40
ANNEX 1 APPROVED ACADEMIC QUALIFICATIONS.....	41
ANNEX 2 APPROVED FIELDS OF EXPERIENCE	46
ANNEX 3 CODE OF ETHICS AND STANDARDS.....	51
ANNEX 4 THE PRESIDENT AND THE VICE PRESIDENT.....	55
ANNEX 5 TEMPORARY PROVISIONS FOR THE MEMBERSHIP OF THE CHAMBER.....	56
ANNEX 6 APPOINTMENT OF THE CHAMBER MEMBERSHIP BOARD.....	57
ANNEX A MEMBERSHIP APPLICATION	599
ANNEX B MEMBERSHIP RATES	611
ANNEX C NOMINATIONS FOR ELECTIONS	62



SECTION 1 ASSOCIATION, AIMS & MISSION STATEMENT

- 1.01** The MALTA CHAMBER OF CONSTRUCTION MANAGEMENT, a social purpose for public benefit association, with registered address at [ADD ADDRESS], hereinafter referred to as the **Chamber**, is hereby established by resolution approved at the meeting held by the associating members on the 2nd of March 2021 at 24 Triq Il Vitorja Isla ISL 1166.
- 1.02** The Chamber and its members shall in all respects be governed by the provisions of this Statute and its Annexes. Members shall endeavor to keep themselves updated on the provisions of this Statute and its annexes and on alterations or additions made thereto.
- 1.03** For the purposes of this Statute the following terms are to be construed thus:
- “Associate member” means a Tier 3 Member;
- “council” means the council set up under section 5 of this Statute;
- “calendar year” means 12 calendar months, running from 1st January until 31st December;
- “Code” means the Code of Ethics and Standards of the Chamber;
- “Chamber Membership Board” means the board chosen by the council to assess applicants’ eligibility and make recommendations to the chamber council with regard to acceptance or otherwise.
- “Construction management” means ” the profession of overall planning, coordination and control of a project from inception to completion, or of part of a project, aimed at meeting a client’s requirements in order to produce a functionally viable and sustainable project that will be completed safely, on time, within authorised cost and to the required quality standards;
- “Construction site managers” means a Tier 2 member;
- “Construction Project Managers” means a Tier 1 member;
- “Chamber” means the Malta Chamber of Construction Management;

“construction project management” is the profession of overall planning, coordination and control of a project from inception to completion, or of part of a project, aimed at meeting a client’s requirements in order to produce a functionally viable and sustainable project that will be completed safely, on time, within authorised cost and to the required quality standards;

“construction project management” includes the practice of:

(i) ‘providing a cost-effective and independent service, selecting, correlating, integrating and managing different disciplines and expertise, to satisfy the objectives and provisions of the project brief from inception to completion;

(ii) keeping the client informed, throughout the project, on progress and problems, design/budgeting/construction variations and such other matters considered to be relevant;

(iii) participating in making recommendations to the client, if required, in the following areas:

- The selection of the consultants as well as in the negotiation of their terms and conditions of engagement.
- The appointment of contractors/subcontractors, including the giving of advice on the most suitable forms of tender and contract.

(iv) The recommendation to the client and the securing of approval for any modifications or variations to the agreed brief, approved designs, schedules and/or budgets resulting from discussions and reviews involving the design team and other consultants.

(v) The setting up the management and administrative structure for the project;

(vi) making sure that all appropriate steps are in place to ensure that site contractors and other regular or casual workers observe all the rules, regulations and practices of safety and fire prevention/protection;

(vii) participating in the final cost reconciliation or final account of the project and taking such action as directed or required;

(viii) reviewing with the design team and other consultants any necessary modifications to the design schedule and Information Required Schedules in the light of the appointed contractors'/subcontractors' requirements and where circumstances so require, reissuing revised schedules including Information Required Schedules.

“environment and sustainability” means the responsibility to conserve natural resources and protect global ecosystems to support health and wellbeing, now and in the future;

“general meeting” means the Annual General Meeting as per article 9.01;

“Malta” means the Maltese nation and, geographically, cover the whole of the Maltese archipelago and its territorial waters.

“membership” means a registered and paying member of the Chamber under one specific tier;

“MQRIC” means the Malta Qualifications Recognition Information Centre;

“profession” means the profession assuming the responsibility for the provision of consultancy, advice, leadership, co-ordination, and guidance in the practice of construction project management;

“professional” refers to matters pertaining to the profession, practiced in accordance with the levels of excellence, ethics, and standards, as established by the Chamber;

“project” means the process of constructing, renovating, refurbishing, restoring, or embellishing a building, structure or infrastructure;

“Statute” means the Statute of the Chamber;

“Tier” means a category and type of membership within the structure of the chamber;

“Warranting Board” means the Construction Project Managers Warranting Board;

"warrant" means an official licence which implies recognition that one is a member of a particular profession and which grants that person the right to exercise that profession

"warrant holder" shall refer to a person to whom a warrant is granted

all references to Malta refer to the Maltese nation and, geographically, cover the whole of the Maltese archipelago and its territorial waters.

1.04 Except where stated otherwise:

(i) all references to the male gender shall also cover the female gender without distinction and vice-versa;

(ii) all references to the singular shall also cover the plural and vice-versa;(iii) all references to Articles, Sections, Annexes, and Codes refer to Articles and Sections of this Statute and to Annexes and Codes attached thereto, respectively.

1.05 The Chamber is an autonomous organization, not affiliated to any political party or political movement, whose goals (not listed in order of priority) shall be:

- (A) to provide a professional framework in which the knowledge, understanding, and culture of CONSTRUCTION MANAGEMENT is advanced in Maltese society;
- (B) to establish, maintain, and enhance professional standards in the CONSTRUCTION MANAGEMENT profession and to endeavor for high levels of achievement therein;
- (C) to establish, promote, maintain, and enhance a professional ethic and responsibility within the CONSTRUCTION MANAGEMENT field;
- (D) to instill a CONSTRUCTION MANAGEMENT culture in clients and employers of the membership as well as in decision takers.
- (E) to ensure and safeguard the quality of CONSTRUCTION MANAGEMENT input in policy and decision-making, and to encourage an integrated approach to CONSTRUCTION MANAGEMENT;
- (F) to safeguard and protect the professional independence of CONSTRUCTION MANAGERS;
- (G) to promote CONSTRUCTION MANAGEMENT considerations and related knowledge and their application for the benefit of society.
- (H) to promote the involvement of CONSTRUCTION MANAGERS in policy making, decision-making, and decision-taking processes; and
- (I) to promote and advance CONSTRUCTION MANAGEMENT as a profession and to raise the profile of the profession.

1.06 In order to attain the aims stated in *Article 1.05* above, the Chamber will also endeavor to pursue the following objectives:

- (A) to enhance levels of education, training, and research among practicing and prospective CONSTRUCTION MANAGERS in Malta.
- (B) to collaborate with others in taking any steps consistent with its aims and objectives.
- (C) to seek membership in, develop relations with, and liaise with appropriate national or international groups, organizations and agencies that share the same or compatible goals.
- (D) to provide a network among CONSTRUCTION MANAGERS in Malta and between Maltese and overseas CONSTRUCTION MANAGERS.
- (E) to maintain an updated register of practicing CONSTRUCTION MANAGERS and to publish said register annually.
- (F) to organize programmes of continuing education.

- (G) to encourage, and participate in high-quality programmes for secondary level, college level, undergraduate, post-graduate, and post-doctoral education and training.
- (H) to influence public policy and opinion, and the media in relation to CONSTRUCTION MANAGEMENT and related matters.
- (I) to collect, circulate, and publish information of interest to the members.
- (J) to lawfully and rationally promote, support, or resist any laws, regulations, policies, and decisions affecting the aims of the Chamber.
- (K) to act as arbitrator in the settlement of internal disputes related to the aims of the Chamber or falling within the ambit of the activities of the Chamber.
- (L) to pursue such other lawful activities including raising of funds as are conducive to, or consistent with, the aims of the Chamber.
- (M) to seek representation in decision-taking bodies; assessment panels; and other boards, authorities, commissions, and committees.
- (N) to provide advice and direct input in the formulation of CONSTRUCTION MANAGEMENT curricula.
- (O) to act as a forum for discussion and exchange of ideas and as a vehicle promoting co-operation and integrated approaches between various sectors; and
- (P) to act as a reference point for the updating of ANY Maltese CONSTRUCTION MANAGEMENT RELATED legislation and policy.

The above will be carried out according to law; where permits and / or licences are required in order to undertake certain activities, the Chamber will ensure that it obtains said licences and / or permits before engaging in the said activities.

Mission Statement

- To promote science and technological advancement in the process of building and construction for the public benefit.
- To be at the forefront of public education, encouraging research and sharing the outcome from this research.
- To make sure that advancement in the built technology is aimed at improving the quality of life of the public in general.
- To enhance professionalism, encourage innovation and raise quality in construction management
- To promote high standards and professional ethics in building and construction practices.
- To promote the highest levels of integrity in every decision that we take that affect others.
- To Respect all those affected by our decisions

To be the DRIVER of a cultural AWARENESS CAMPAIGN, STRIVING FOR PROFESSIONALISM IN THE CONSTRUCTION INDUSTRY.

SECTION 2

OFFICES AND OFFICIAL LANGUAGE OF THE CHAMBER

- 2.01** The offices of the Chamber shall be at such place as the Chamber may from time to time determine.
- 2.02** In the event of a change of address, the Chamber shall notify its members and shall also issue a public notification in any one of the local newspapers.
- 2.03** The Maltese language shall be the official language of the Chamber, but other languages may also be made use of as the Chamber deems necessary and appropriate.

SECTION 3 MEMBERSHIP

- 3.01** Membership of the Chamber is open to suitably qualified CONSTRUCTION MANAGERS, as provided in *Article 3.02*, engaged in THE PLANNING AND MANAGEMENT OF PROJECTS RELATED TO THE CONSTRUCTION INDUSTRY
- 3.02** Eligible persons are to have a multi-disciplinary CONSTRUCTION MANAGEMENT background, consisting of professional experience, academic knowledge, and technical skills in CONSTRUCTION MANAGEMENT related disciplines. They shall have carried out academic level training and/or on-field experience.
- 3.03** In line with the provisions of *Article 3.02*, and subject to the provisions of *Articles 3.05, 3.06* and *3.10*, persons who fall within any of the requirements as set out in the 3 Tier framework identified below **shall be eligible for membership**:

The MCCM has three (3) types of membership. These three (3) types will be identified as Tier 1; Tier 2; and Tier 3.

Conditions and eligibility for these Tiers are explained hereunder:

Tier 1 (Construction Project Manager)

Eligible members for Tier 1 shall be:

Holders of the relevant Warrant of a Construction Project Manager as issued by the Government of Malta,

&

Holders of a Degree or equivalent MQF/EQF Level 6 (or higher) in Construction Management,

&

Holders of a minimum of 2 years' experience in a Construction Management role. Experience is to be corroborated by presenting referral letters.

Tier 2 (Construction Site Manager)

Eligible members for Tier 2 shall be:

Holders of a Diploma/Certificate MQF/EQF Level 5 (or higher) in Construction Management,

&

Holders of a minimum of 2 years' experience in a Construction Management role. Experience is to be corroborated by presenting referral letters.

Tier 3 (Associate Member)

Eligible members for Tier 3 shall be:

Holders of a minimum of 5 years' experience (or more) within the Construction Industry - Management Stream,

or

Holders of a Diploma/Certificate MQF/EQF Level 5 (or higher) in Construction Management.

Approved Academic Qualifications and Approved Field of Experience, can be found under Annex 1 and Annex 2 respectively

The Council Members or its delegated Officers shall examine applicants' Curriculum Vitae

- 3.04** Academic qualifications must be recognized by Malta Qualifications Recognition Information Centre [MQRIC].
- 3.05** The following shall not be eligible to become members of the Chamber or of any section, sub-section or committee thereof:
- (A) people interdicted from office, or otherwise interdicted by law;
 - (B) persons who have been convicted by the Criminal Court for serious offences. For the purposes of this article, the term **serious** refers to offences punishable according to law by imprisonment or by an equivalent penalty or sentence including probation and suspended sentences;
 - (C) persons who have for any reason lost their professional warrant, or had their warrant suspended;
 - (D) persons whose actions, practice, conduct or record is/are considered by the Council, as defined in **Section 6**, to be incompatible with, in breach of or counter to the spirit of the Chamber's aims, objectives, Code of Ethics or Code of Standards as per **Annexe 3** to this Statute;
 - (E) persons who are owners of, enrolled in, shareholders in, or members of any company, agency, institute, society, club or organisation whose Statute, aims, objectives, actions, practice, conduct, or record is/are considered by the Council, as defined in **Section 6**, to be incompatible with, in breach of, or counter to the spirit of the Chamber's aims, objectives, Statute, Code of Ethics, or Code of Standards as per **Annexe 3** to this Statute. Persons whose professional employment is the only link with a company, agency or other employer that falls within the above-mentioned categories are excluded from such ineligibility, provided that their relation would be compatible with the Chamber's aims, objectives, Statute, Code of Ethics, and Code of Standards;
 - (F) members of illegal organizations and/or secret societies. In the event of discovery that a member of the Chamber is enrolled in such an organization or society, the member in question shall have his/her membership in the Chamber automatically revoked, and the Council shall reserve the right to take further action against that person; and
 - (G) persons who do not meet the requirements for eligibility as set out in **Article 3.02** and **Article 3.03**.
- 3.06** If it is unclear whether a person is disqualified from membership under the provisions of **Article 3.05** above, the Council, on the advice of the Chamber Membership Board, shall decide whether he is eligible or not for membership. The Council's decision is final.

- 3.07** Any person eligible in terms of *Articles 3.02 to 3.05*, henceforth referred to as **applicant**, wishing to become a member of the Chamber must be proposed and seconded, on the appropriate form attached Herewith as *Annex A*, by two (2) members of the Chamber. A recent certificate of good conduct issued by the Police not more than six (6) months prior to the date of application for membership, as well as a detailed Curriculum Vitae and official proof of any academic qualifications and warrants (where applicable) issued by the relative University or institution officially recognized by the Chamber, shall be submitted to the Council together with the application form. All applications shall be received by the Council and shall be acknowledged in writing; a record thereof shall be kept by the Council.
- 3.08** Applicants' name, surname and ID/Passport numbers and the names, surnames and ID/Passport numbers of the proposing and seconding members shall be communicated to all members of the Chamber by the Council through the appropriate means determined by the Council.
- 3.09** Members shall have the opportunity to comment on the applications. Such comments shall be written or typed, shall bear the signature of the member or members making the comments, and shall be sent to the Chamber's official address so as to ensure receipt within fifteen (15) days from the date of the official communication. The submissions received shall be treated with confidentiality.
- 3.10** Applications for membership will be considered by the Council, which will reserve the right of approving or refusing such applications, subject to *Articles 3.01 to 3.06* above. The Council's decision to approve or refuse membership shall be based on the criteria set out in *Articles 3.01 to 3.06* of this Statute and on the recommendations received from members, provided that the latter are in line with *Articles 3.01 to 3.05*.
- 3.11** The applicant shall be notified of the decision of the Council, in writing and within not more than two (2) months from the date of the acknowledgement referred to in *Article 3.07*. The Council may extend the timeframe if it requires further evidence relating to the application.

- 3.12** In the event of refusal of membership to any applicant, the proposer and seconder shall have the right to jointly appeal to a General Meeting, provided that notice of appeal is received by the Council within one (1) month from the date of notice of refusal.
- 3.13** In the event of failure by the Council to notify the applicant as per *Article 3.11* above, the proposer and seconder shall have the right to jointly appeal to a General Meeting, provided that notice of appeal is received by the Council within one (1) month from the expiry of the two-month period specified in *Article 3.11*.
- 3.14** No person whose admission has been refused may be re-proposed for membership before the lapse of one (1) calendar year.
- 3.15** An annual subscription fee to be determined by the Council from time to time, and ratified by a General Meeting, shall be payable in advance by each person admitted to membership. Payment of this fee in due time, as established by the Council, shall be considered as a requisite for membership, subject to *Article 3.16* below. The Council may also, subject to ratification by a General Meeting, make provision for different grades or categories of membership and for subscription fees corresponding thereto. The subscription fees currently in force are attached herewith in *Annex B*.
- 3.16** At the discretion of the Council, a member who fails to pay his annual fee by the thirty-first (31st) day of October of the respective calendar year shall forfeit their membership and shall have to re-apply for membership according to *Article 3.07* above; the Council shall inform the member concerned of his forfeiture. The Council shall, however, seek to avoid such occurrence by issuing clearly worded reminders in due time before the specified date.
- 3.17** Persons who have been admitted to membership in the Chamber and who have duly paid their subscription fee shall be issued with a membership certificate (*tessera*) by the Council, as proof of their valid membership. Such membership certificate shall:
- (A) bear the official address and emblem of the Chamber;

- (B) be signed, on behalf of the Chamber, by an officer appointed by the Council for the purpose, the name of the signing officer being clearly indicated on the certificate; and
- (C) contain membership details including the name, surname and Id / Passport number and membership number of the member concerned, the term during which the certificate is valid, the Category of membership as applicable, and any other details which the Council deems relevant.

Members shall submit or present their membership certificate as required by the provisions of this Statute, and whenever reasonably requested by the Council or by officers of the Chamber, provided that the Council's decision shall be final.

3.18 Members of the Chamber shall have the right to resign from the Chamber without any obligation to give any reason for such resignation. A member wishing to terminate his membership shall notify the Secretary of the Chamber in writing.

3.19 A resigning member shall forfeit the subscription fee which he may have paid in advance and shall in fact remain liable for the subscription up to the thirty-first (31st) of October of the calendar year in which he resigned. The provisions of this article (*Article 3.19*) shall also apply in the event of:

- (A) forced resignation as per *Article 3.20* below;
- (B) suspension of membership in terms of *Section 12* below; or
- (C) expulsion from the Chamber in terms of *Section 12* below.

3.20 A member whose status or situation has altered since admission in such a manner as to deprive him of one or more of the requirements which make him eligible for membership shall be called upon, in writing, to submit his written resignation forthwith. If such member fails to resign within one (1) month from the date on which he is called upon to do so, the Council shall remove the member's name from the membership list. In both cases, membership of the Chamber shall be deemed to have ceased in all respects. The member concerned shall have the right to appeal to a General Meeting against his forced resignation, provided that notice of appeal is received by the Council within one (1) month from the date of the Council's call for his resignation.

- 3.21** In the event of forced resignation as per *Article 3.20* above, the member shall have the right to appeal to a General Meeting, provided that notice of appeal is received by the Council within one (1) month from the date on which he is called upon to resign.
- 3.22** Without prejudice to the provisions of *Articles 1.04, 1.05,* and *3.05* above and to the Chamber's Code of Ethics and Standards as set out in *Annex 4* to this Statute, the Chamber shall encourage its members to enroll in other professional, academic and research institutions and other organizations whose Statute, aims, objectives, actions, practice, and record are compatible with those of the Chamber, in addition to their membership in the Chamber.
- 3.23** Members of the Chamber shall be entitled to include the title designation of *Member of the Malta Chamber of Construction Management*, abbreviated to; Tier 1 *mMCCM-cpm*; Tier 2 *mMCCM-csm*; Tier 3 *mMCCM-am*, with their other qualifications and designations.

SECTION 4 ORGANS OF THE CHAMBER

- 4.01** The official organs of the Chamber are, in descending hierarchical order:
- (A) General Meetings (governed by *Section 10* below); and
 - (B) the Council (governed by *Section 5* below).

SECTION 5 THE COUNCIL

5.01 Management of the Chamber shall be entrusted to a Council which shall be made up of up to seven (7) members but not less than five (5) elected for a two-year (calendar year) term at a General Meeting according to **Section 9** below.

5.02 Without prejudice to

- (A) the aims and objectives set out in **Articles 1.04** and **1.05** above,
- (B) the powers conferred on General Meetings of the Chamber,
- (C) all matters expressly reserved to General Meetings, and
- (D) the rights, interests, and duties of members of the Chamber as established in this Statute,

the Council shall have the power to:

- a) conduct and manage all the business, functions, and affairs of the Chamber,
- b) establish contacts with other institutions or organizations,
- c) make representations with other institutions or organizations,
- d) appoint local and overseas representatives of the Chamber, provided that representatives of the Chamber are selected from within the membership of the Chamber,
- e) enter contracts and other agreements on behalf of the Chamber;
- f) enter commitments on behalf of the Chamber, incur expenses on behalf of the Chamber and pay such expenses, provided that such expenses do not entail burdens on members of the Chamber other than those established through a General Meeting,
- g) submit proposals to General Meetings,
- h) initiate disciplinary proceedings against members in terms of **Section 11** below,
- i) determine its own procedures, and
- j) take decisions on any matter not covered by any provisions of this Statute or its Annexes, provided that this does not conflict with the aims or objectives of the Chamber.

- 5.03** Only ordinary members [Tier 1 & Tier 2] who have fulfilled their membership dues are eligible for nomination for election to the Council. However, all members [Tiers 1, 2 & 3] have the right to vote at elections to the Council, provided their membership is fully paid up.
- 5.04** Formal candidates contesting the National General Elections or Local Council Elections, as well as elected Members of Parliament and Local Councilors, cannot be council members during the period of their candidacy or tenure of office, respectively.
- 5.05** The Council shall appoint, at the start of its first meeting following its election, a Secretary, a Treasurer and other Officers from among its elected members. Other Officers, not forming part of the Council, may also be appointed by the Council from amongst Chamber members to undertake tasks or duties assigned by the Council. All officers appointed to the Council may be Tier 1 or Tier 2 members, apart from the Secretary, President and Vice-president who must be Tier 1 members.
- The President and Vice-president are elected via a popular vote amongst all the chamber members (ref to Annex 4).
- 5.06** The Council shall meet at least once a month, or more frequently at the request of the President, or the Secretary, or the Treasurer or any two (2) members of the Council.
- 5.07** Members of the Council shall be notified in writing at least seven (7) days prior to the date fixed for a Council meeting, and the agenda of the meeting shall accompany such notice. In case of urgency, the President, or his replacement or delegate as per **Article 6.03** below, may call a meeting without such notice.
- 5.08** The quorum of the Council shall consist of at least four (4) elected members.
- 5.09** A resolution in writing signed by all the members of the Council outside a meeting shall be as effective as a resolution passed at a meeting of the Council.

- 5.10** In the event that the President, the Secretary and the Treasurer of the outgoing Council are not re-elected, they shall be invited by the newly elected Council to attend, without voting rights, meetings of the new Council as may be necessary to ensure adequate continuity in the Council's functioning.
- 5.11** Except where expressly stated otherwise, decisions of the Council shall be taken by a simple majority of votes in favour, by the members present and voting, unless there is consensus between the members of the Council. Voting shall be secret if so requested by any one of the members present. In the event that a simple majority cannot be achieved, the members present shall reconsider the case in question and shall take another vote. In the event that a decision cannot be reached by the Council after the second voting session, the Council shall refer the case to a General Meeting.
- 5.12** The President or his replacement or delegate as provided in *Article 6.03* shall, in the event of equality of votes, have a casting vote in addition to his original vote.
- 5.13** Disciplinary measures against members, in terms of *Section 11* below, may be taken by a resolution passed by a simple majority of the members of the Council.
- 5.14** The election of a member of the Council shall lapse, and his position shall be considered as vacated, if:
- (A) s/he absents himself, without just cause, from three (3) consecutive meetings of the Council;
 - (B) s/he resigns in writing;
 - (C) s/he ceases to form part of the Chamber; or
 - (D) s/he is removed under the provisions of *Article 5.13* or *Section 11*.
- 5.15** The Chamber may, during a General Meeting, remove from office any member of the Council before the expiration of his period of office by a two-thirds majority vote of the members present and voting.
- 5.16** If a member of the Council ceases to form part of the Council for any cause whatsoever, the unelected runner-up at the last election shall be invited to fill the vacancy thus created and will serve for the unexpired period of

office. In the event that the first runner-up is not in a position to fill the vacancy, the next runner-up shall be invited in his stead, and so forth. In case of parity of votes between two or more runners-up, the person to be appointed shall be drawn by lot from among those in a position to fill the vacancy. If, for any reason, the vacancy is not filled, a fresh ballot shall be called within two (2) months.

- 5.17** The Council shall be empowered to appoint any member of the Chamber as a co-opted Council member for any purpose deemed necessary and for a period of time as deemed necessary by the Council. A co-opted member shall be invited to attend Council meetings at the discretion of the Council and may be given all rights pertaining to elected Council members. Without prejudice to the provisions of *Article 9.13*, the number of co-opted Council members shall not exceed two (2) at any one time.

SECTION 6 OFFICERS OF THE COUNCIL

- 6.01** The President shall preside over the meetings of the Council and over General Meetings of the Chamber and shall ensure that they are conducted in accordance with the provisions of this Statute. He shall also endeavor to keep the Vice President constantly informed in order to ensure proper handing over of responsibilities during the President's absence.
- 6.02** No member shall hold the office of President for more than two (2) terms.
- 6.03** The Vice President shall, in the justified absence of the President or in the event that the President absents himself from a duly convened meeting for more than twenty (20) minutes without prior notice, act in his stead. In the justified absence of both the President and the Vice President or in the event that the President and Vice President absent themselves from a duly convened meeting for more than twenty (20) minutes without prior notice, a Council member appointed by the Council members present shall assume the role of President on an *ad hoc* basis. These procedures shall apply to both General Meetings and Council meetings.
- 6.04** Duties as per *Article 6.01* above shall be applicable in all cases where the Vice President or any Council member occupies the President's position in his stead.
- 6.05** The Secretary shall be responsible for:
- (A) the organization and administration of the Chamber;
 - (B) the compilation and maintenance of the Chamber's documentation.
 - (C) ensuring that the instructions of the General Meetings and Council Meetings are duly carried out;
 - (D) assisting the President in his duties.
 - (E) causing Minutes to be kept of all General Meetings and Council meetings;
 - (F) ensuring that minutes of committee meetings are duly kept in line with *Section 7* below;
 - (G) taking care of the official correspondence of the Chamber and keeping records thereof;

- (H) ensuring that updated lists of paid-up members, Council members and Committee members are kept;
- (I) ensuring that circulars are issued regularly to all members informing them of the Chamber's activities and news;
- (J) issuing notices of the Chamber; and
- (K) giving a detailed account in writing to the Annual General Meeting as per *Article 10.03*.

The Secretary will also assume the role of Data Protection Officer.

6.06 The Treasurer shall be entrusted with:

- (A) the financial administration of the Chamber according to *Section 12* below;
- (B) regularly updating the Council about the financial administration of the Chamber and any matters ancillary thereto;
- (C) ensuring that the financial reports of the Chamber are duly audited by the auditors appointed by the Chamber; and
- (D) submitting to the Annual General Meeting a detailed financial statement and an audited Balance Sheet as at the end of the Chamber's financial year. The Balance Sheet shall be available for perusal by members of the Chamber thereafter.

6.07 One of the other Officers of the Council shall be entrusted with the role of Educational Officer. In the absence of a willing council member to take this role, the Council can appoint another member of the Chamber.

The Educational Officer shall be entrusted with;

- (A) Organizing, keeping record, and informing the Chamber members of CPD's (webinars, site visits etc) and other courses that will enhance the professionalism within the chamber and its members;
- (B) coordinating with the Education Division, University of Malta, MCAST and other institutions (even foreign) that will be working with the Chamber on the various educational issues and matters;
- (C) keeping records of all the courses recognition matters;
- (D) address (through a report) the general meeting on the work done during the previous 12 months. This will include; number of CPD's done, attendance for these courses and feedback. Any introduction of courses that are held in collaboration with the Chamber. Approval/recognition of new courses/qualifications and relationship with other institutions (especially educational);

- 6.08** The remaining Officers of the Council shall be entrusted with, or delegated, tasks or duties as required by the Council, and may be assigned specific titles which reflect such tasks or duties.

SECTION 7

COMMITTEES AND OTHER OFFICERS

- 7.01** The Council may delegate any of its duties to *ad hoc* officers appointed by the Council, or to committees or commissions consisting of officers, members or other persons approved by the Council.
- 7.02** All officers, committees and commissions shall in the exercise of their duties conform to any rules, guidelines, instructions and terms of reference as may be issued, required or approved by the Council for the purpose, as well as to the provisions of this Statute and its Annexes and Codes. No resolution or decision of any officer, committee, or commission shall be valid or of any effect if it goes against any Council decision or against any rules, guidelines, instructions, or terms of reference governing the officer or committee or commission, or against the provisions of this Statute or its Annexes or Codes. Whenever there is any doubt with regard to interpretation as to validity or otherwise, the Council's decision shall be final.
- 7.03** Every committee and commission shall determine its own procedures, subject to *Articles 7.02, 7.03, and 7.04*.
- 7.04** Every committee and commission shall be chaired by an officer, hereafter referred to as the **Chairman** of the committee or commission, appointed by the Council. The Chairman shall keep the Council updated on the work carried out, and on decisions taken and recommendations made, by the committee or commission for which he is responsible.
- 7.05** Every committee and commission shall appoint one of its members as its secretary. The appointee shall be responsible for the keeping of minutes of the committee or commission and shall make such minutes available upon request for perusal by the Council, by members of the committee or commission, and by members of the Chamber.

SECTION 8 ELECTORAL COMMISSION

- 8.01** The Electoral Commission shall be a Committee of three (3) members not seeking election to the Council, one of whom shall act as Chairman of the Commission, elected by the members of the Chamber during a General Meeting during which the election of a new Council is to be held. The Electoral Commission shall be responsible for the administration of the electoral proceedings during the General Meeting in question.
- 8.02** Members of the Chamber wishing to be nominated on the Electoral Commission are to inform the Secretary within ten (10) clear days prior to the General Meeting referred to in *Article 8.01* above. Such nomination shall not be unreasonably refused, subject to *Article 8.05* below.
- 8.03** In the event that there are only three (3) nominees on the Electoral Commission, they shall automatically constitute the Commission. Whenever more than three (3) nominees are available, the Electoral Commission shall be elected therefrom by the members present at the General Meeting.
- 8.04** In the event that there are less than three (3) nominees at the start of the General Meeting, the Secretary shall invite nominations from among the members present and not seeking election to the Council to fill the existing vacancies. If, this notwithstanding, the number of nominees is still less than three (3), the available nominee or nominees shall constitute the Commission. In the event that there are no nominees, three (3) members shall be selected from among those present at the General Meeting to act as Commissioners.
- 8.05** No member may hold the position of member of the Electoral Commission if he is standing for election to the Council during the same General Meeting.

SECTION 9 ELECTIONS TO THE COUNCIL

- 9.01** The election of members of the Council shall be open on the day of the Annual General Meeting or during an *ad hoc* Extraordinary General Meeting following the resignation of the outgoing Council.
- 9.02** Candidates eligible for election must be full members of the Chamber at the time of the General Meeting established in *Article 9.01* above. Members shall submit their updated membership certificate to the Electoral Commission prior to the commencement of voting, as proof of eligibility in line with the provisions of this article.
- 9.03** The outgoing Council shall notify the members of the Chamber of the date of the election and shall furnish them with an official nomination form not later than thirty (30) clear days from the date fixed for the election.
- 9.04** Candidates, who must signify their intention to accept nomination, must be proposed in writing by one (1) full member of the Chamber and seconded in writing by one (1) other full member of the Chamber, on the official nomination form attached in *Annex C*. Candidates must concurrently indicate any interest they may have, in holding the position of Chamber President or vice-President. Nominations must reach the outgoing Council at least fifteen (15) days before the date fixed for the election. Such nominations shall be acknowledged in writing by the outgoing Council within seven (7) days from receipt of nomination.
- 9.05** The outgoing Council shall furnish the members of the Chamber with a list of eligible candidates who have accepted nomination for election together with the names of the proposing and seconding members, within seven (7) clear days before the date fixed for the election.
- 9.06** Any eligible member whose name may have been unjustifiably omitted from the list described in *Article 9.05* above shall have the right to appeal to the Electoral Commission for his inclusion in the list prior to the commencement of voting.
- 9.07** Voting for the election of members of the Council shall be by secret ballot during the General Meeting established in *Article 9.01* above.

- 9.08** Voting shall be recorded by marking on an official ballot paper with a tick (x) in the appropriate spaces corresponding to the names of those candidates for whom the member desires to vote. The number of ticks (x) on any ballot paper shall not exceed the number of candidates to be elected; in the event of default, the provisions of *Article 9.11* below apply.
- 9.09** Ballot papers shall not be valid unless signed by all the members of the Electoral Commission prior to the commencement of voting. The Electoral Commission shall keep a record of the number of votes issued and shall cross-check this against the number of ballot papers returned to it after voting.
- 9.10** The Electoral Commission shall proceed to openly count the votes in front of the members present at the General Meeting immediately after the closing of the ballot and shall immediately thereafter draw up and submit to the General Meeting a list recording the number of votes cast for each candidate.
- 9.11** A ballot paper recording more votes than the number of candidates to be elected or having any defacing or unauthorized markings or marked in such a manner as to render attribution of votes to candidates clearly ambiguous shall be considered null and invalid, provided that there is agreement within the Electoral Commission on the matter.
- 9.12** The Electoral Commission, whose decision shall be final, shall settle any question or dispute regarding the validity of any ballot paper.
- 9.13** If the number of nominated candidates exceeds seven (7), the seven (7) candidates who obtain the highest number of votes shall be declared by the Electoral Commission to have been duly elected. If the number of nominated candidates is seven (7) or less, a secret ballot shall be held to determine whether each of the uncontested candidates is acceptable to the members of the Chamber; candidates who are approved by at least a simple majority of the members present shall be considered as elected to the Council. In the event that the number of elected candidates is less than seven (7), the elected candidates shall seek to co-opt other members in sufficient numbers to form a Council.

- 9.14** If the number of nominated candidates exceeds seven (7), but less than seven (7) candidates obtain enough votes to ensure election, the remaining candidates with a parity of votes shall undergo another secret ballot to fill the remaining vacancies. Candidates obtaining the highest votes shall be elected, according to the number of vacancies. Should there be parity between votes after the second ballot in such a manner as to prevent demarcation between elected candidates and non-elected candidates, the name or names of the candidate or candidates to be elected shall be drawn by lot by the Electoral Commission, in front of the members present at the General Meeting, from among the candidates who will have obtained a parity of votes.
- 9.15** Following the election of the new Council, the Chamber shall proceed to elect its President and Vice President, from amongst those elected members who indicated their intention to stand for either or both of these positions. The candidate elected to the Council with the largest number of votes, who indicated their intention to stand for election to either or both positions, will be appointed to that position. If none of the elected candidates indicated such an intention, or in case of a tie between candidates, positionthe members of the Chamber that are present at the General Meeting shall proceed to elect the President by means of a secret ballot.
- 9.16** The Electoral Commission is responsible for the whole conduct of all the ballots carried out during the General Meeting, for the validation of the voting papers before and after the ballot, and for communicating the result to the General Meeting.
- 9.17** The newly elected Council shall hold its first meeting within twenty-one (21) days of its election. Pending the appointment of the new Officers of the Council, the newly elected President shall undertake to notify the newly elected members of the Council of the date, time, and venue of such meeting.
- 9.18** The newly elected Council shall, after its first meeting, furnish the members of the Chamber with a list of the members elected and their positions within the new Council.

SECTION 10 GENERAL MEETINGS

- 10.01** General Meetings shall be composed of the members of the Chamber who have fulfilled their membership dues. Such members are entitled to attend the General Meetings of the Chamber, propose matters for discussion at the Meetings and take part in discussions and voting sessions held during the Meetings.
- 10.02** Annual General Meetings shall be held each year but not later than the 15th March of that year.
- 10.03** The following items shall be presented during the Annual General Meeting:
- (A) reading of the minutes of the preceding General Meeting, together with all updates thereto, unless (in exceptional circumstances) the members present decide on postponement thereof to the next General Meeting by means of a vote;
 - (B) election of the Electoral Commission as per **Section 8**;
 - (C) a report by the President and/or Secretary on the work and activities of the Council and the Chamber during the previous calendar year followed by an invitation for discussion by members on matters relating to such report;
 - (D) an account, by the Treasurer, of the Chamber's financial details for the previous financial year, followed by an invitation for discussion by members on matters relating to such account;
 - (E) resignation of the outgoing Council;
 - (F) election of a new Council in line with the provisions of **Section 9**;
 - (G) election of the new President from amongst the elected Council members, in line with the provisions of **Article 9.15**;
 - (H) consideration of proposed amendments, if any, to the Statute in line with the provisions of **Article 10.16**;
 - (I) consideration of proposed motions and resolutions, if any, presented by the outgoing Council and/or by members in line with the provisions of **Article 10.16**; and
 - (J) other matters, if any.
- 10.04** All General Meetings other than the Annual General Meeting, shall be referred to as Extraordinary General Meetings.

- 10.05** Extraordinary General Meetings shall be held:
- (A) whenever it is decided by the Council, to discuss any specific subject of interest to the Chamber, to its objectives or to its members; or
 - (B) whenever an appeal is made in terms of *Articles 3.12* or *3.13* above (refusal of membership or failure to notify applicant) or *Section 11* below (disciplinary action); or
 - (C) whenever a written request is made to the Council by not less than thirty (30) members or one-fourth of the members of the Chamber, whichever is the smaller. Provided that the members making the request shall state the reason or reasons for which the Meeting is being requested and that all the members making the request shall sign the letter of requisition; or
 - (D) whenever a motion of no confidence in the President, Vice President, or the Council is being proposed. Said proposal must be supported by not less than thirty (30) members or one-fourth of the members of the Chamber, whichever is the smaller. If the proposal garners the necessary support, the Electoral Commission will assume responsibility for ensuring that the motion is discussed in an orderly manner which allows all sides sufficient opportunity to defend their respective positions. If the motion garners the support of not less than two-thirds of the paying members who are present and voting, the Electoral Commission will be responsible for ensuring a smooth transition to fresh appointments or elections.
- 10.06** Decisions on the following matters shall only be taken during General Meetings:
- (A) Amendments, alterations, revocations, additions, deletions or revisions to this Statute or any part or parts thereof;
 - (B) Decisions on all matters which in terms of this Statute are reserved to the General Meetings of the Chamber or which the Council may place before it; and
 - (C) Decisions requested in terms of *Section 3*.
- 10.07** The quorum for General Meetings shall be 50% +1 of the Chamber's total paying members . If, after one (1) hour from the time appointed for the General Meeting, a quorum is still not reached, the members present (in any case amounting to not less than 25% of the Chamber's total paying members) shall be considered as constituting a quorum for the Meeting in question, provided that this does not apply for the purposes of *Section 14* (dissolution) below and *Article 10.06 (a)* above. **10.08** Advance

notification of General Meetings, including the date, time and venue of the meeting and an agenda faithfully showing the items, issues and decisions to be discussed during the Meeting shall be given to members by means of an official circular at least thirty (30) clear days before the date chosen for the General Meeting.

- 10.09** Notwithstanding *Article 10.08* above, the Council may decide on a shorter notice in exceptional cases. Provided that any member who feels aggrieved in any way by any decision taken during the General Meeting for which less than thirty (30) days' advance notice has been given may request an Extraordinary General Meeting to challenge the decision or decisions taken during the General Meeting which had been convened at short notice.
- 10.10** During advance notification of the Annual General Meeting, the Council shall also invite written requests from members for the proposal of resolutions and for the proposal of amendments, alterations, revocations, additions, deletions or revisions to this Statute or to any part or parts thereof. Any member or members shall have the right to make one or more requests, provided that such requests are received by the Council not later than twenty (20) clear days before the date of the Annual General Meeting in question. Late submissions may be accepted at the Council's discretion, but only if this would not preclude their communication to the members of the Chamber as laid down by *Article 10.11* below.
- 10.11** The full details of all the proposed resolutions and of all proposed changes to the Statute made in terms of *Articles 10.06* and *10.10* above, together with the names of the respective proposers, shall be circulated to the Chamber's members in such a manner as to ensure (as far as is reasonably possible) receipt by members by not later than five (5) days from the date of the Annual General Meeting.
- 10.12** Copies of the details included in *Article 10.11* above, and copies of the General Meeting's agenda which faithfully indicate the items, issues, and decisions to be discussed, shall be made available to the members present at the Meeting upon request. This applies to both Annual and Extraordinary General Meetings.

10.13 Decisions at General Meetings shall be taken by open vote, provided that any member shall have the right to ask for a secret ballot on any item or items, in which case the voting shall be carried out accordingly. Provided that voting for the purpose of **Articles 3.12** and **3.13** above (appeals against refusal of membership or following failure to notify applicant), **Section 9** above (election to the Council) and **Section 11** below (disciplinary action) shall always be secret. In all cases, every voting member shall be entitled to one (1) vote.

10.14 Members wishing to vote shall be requested, by an *ad hoc* officer delegated by the Council, to present their membership certificate and to sign their attendance on an appropriate register. Members failing to comply will be denied the right to participate in the vote.

10.15 Voting by proxy on behalf of a member of the Chamber shall only be allowed in the event of that member's inability to attend at the General Meeting as a result of sickness, injury, overseas travel, or other justifiable reasons acceptable to the Electoral Commission, and only upon presentation of:

- (A) a note duly signed by the member confirming his absence, the reasons therefor and the person entitled to vote on his behalf;
- (B) the absent member's membership certificate; and
- (C) a proxy form issued by the Chamber (see specimen copy in **Annex 4**) duly signed and authenticated by the indisposed member and specifying the manner in which the holder of such proxy is entitled to vote.

Provided that the person voting on behalf of the indisposed member is to be a member of the Chamber and shall present his own membership certificate as well.

10.16 Resolutions and proposals placed before a General Meeting shall be deemed to have been validly approved if consented to by a simple majority of the members present except in the following cases which require consent by not less than two-thirds of the members present:

- (A) amendments, alterations, revocations, additions, deletions or revisions to **Articles 1.02** to **1.05** of this Statute;
- (B) amendments to **Article 6.02** of this Statute;

- (C) amendments, alterations, revocations, additions, deletions or revisions to *Article 11.16* of this Statute;
- (D) amendments, alterations, revocations, additions, deletions or revisions to *Article 14.04* of this Statute; and
- (E) appeals in terms of *Article 3.12* and *3.13* (appeals against refusal of membership or following failure to notify applicant) above and *Section 11* below (disciplinary action).

10.17 An updated chronological list recording the dates of the General Meetings during which this Statute is amended, as well as a list of the articles amended, shall be annexed to the updated Statute. The actual amendments shall be compiled as a separate cumulative document which shall be made available to members of the Chamber upon request to the Council.

SECTION 11 DISCIPLINARY AND OTHER ACTION

- 11.01** Disciplinary proceedings shall be instituted by the Council against members of the Chamber who:
- (A) breach any provisions of this Statute or its Annexes; or
 - (B) hinder in any way the work of the Chamber; or
 - (C) commit any comparably serious offence against the Chamber or its officials; or
 - (D) breach the general principles of professional ethics.
- 11.02** The Council is to inform the members concerned of the alleged breach and of the date of the meeting at which their case is to be discussed, at least seven (7) clear days from the date of the meeting.
- 11.03** The member concerned may:
- (A) make written submissions to the Council; and/or
 - (B) attend the relevant meeting to state his case. The member has the right to be assisted by persons of his choice whilst presenting his case at the meeting. The member and all those accompanying him at the meeting shall withdraw after stating his case and as soon as the Council starts discussing and deliberating on his case; and/or
 - (C) resign.
- 11.04** If a member of the Council is in any way involved in any question of breach or has any conflict of interests relating to the case being discussed, he shall withdraw prior to the matter being discussed and shall not vote on the matter.
- 11.05** If the alleged breach forms the subject matter of a pending Court case proceedings before the Council will be suspended so long as the case is *sub judice*.
- 11.06** The Council can take any of the following actions, according to the merits of the case, if the member is found to have breached any of the provisions of this Statute or its Annexes:
- (A) Give the member sufficient time to regularize his position failing which further disciplinary action may ensue;

- (B) Suspend the member from membership for a specified period as decided by the Council;
- (C) Expel the member from the Chamber; or
- (D) Any combination of *Provisions 11.06 (A), 11.06 (B), 11.06 (C)* and/or *11.06 (D)* above.

11.07 A member suspended under *Article 11.06* above shall, for the period of his suspension, be deprived of all rights pertaining to members of the Chamber and shall relinquish all appointments and positions of office in the Chamber.

11.08 An expelled member shall not be eligible for re-applying for membership for a period not less than 5 years.

11.09 The decision of the Council is to be communicated in writing to the member concerned who can appeal therefrom to the General Meeting in terms of *Article 10.05* above. The communicated decision must include detailed reasons. Any appeal therefrom must be made in writing and must reach the Chamber by not later than ten (10) days from the date of the written communication of the Council's decision. The decision taken by the General Meeting shall be final.

SECTION 12

FINANCE, ACCOUNTS, INVESTMENTS & ADMINISTRATION

- 12.01** All assets and funds of the Chamber may be invested in such a manner as the Council may from time to time decide, provided that:
- (A) the investment is in line with the aims and objectives of the Chamber;
 - (B) an adequate account is given of such investments to the Annual General Meeting for endorsement or otherwise by the members present; and
 - (C) members disagreeing with the administration of assets and funds by the Council may appeal to an Extraordinary General Meeting in terms of **Article 10.05** above.
- 12.02** The payment of bills exceeding Two-Hundred Euros (€200) shall require the authority of the Council. Urgent bills may be paid by the Treasurer provided that prior authority from the President and Secretary has been obtained. In the justified absence of the President, the provisions of **Article 6.03** above shall apply.
- 12.03** An official receipt shall be issued by the Treasurer in respect of all funds received by the Chamber.
- 12.04** All cheques issued in the name of the Chamber shall be signed by the Treasurer and countersigned by the President, or Vice President or Secretary. Similar authorisation principles apply for online banking transactions.
- 12.05** The Council shall keep proper books of account with respect to:
- (A) all sums of money received and expended by the Chamber and the matters in respect of which the receipts and expenditures take place;
 - (B) the assets and liabilities of the Chamber;
 - (C) all sales, purchases and investments made by the Chamber; and
 - (D) all other matters concerning the administration of the financial affairs of the Chamber.
- 12.06** The Council shall, for every financial year, appoint a warranted auditor who will examine the books of account and present their findings to the Council. The Council shall thereafter lay before the Annual General

Meeting properly audited accounts for the period of its administration of the financial affairs of the Chamber.

12.07 The books of account of the Chamber shall be open for inspection by members by prior appointment with the Treasurer.

12.08 The minutes of the General Meetings and Council meetings shall be open for inspection by members by prior appointment with the Secretary. Access to other documentation may also be arranged subject to the Council's discretion.

12.09 Other persons who are entitled by law to inspect the Chamber's documentation may do so by prior appointment with the Secretary or Treasurer as the case may be.

SECTION 13

COMMITMENTS ON BEHALF OF THE CHAMBER

- 13.01** The President and Secretary, or any two (2) or more Officers authorised by the Council, shall represent the Chamber in all judicial and extra-judicial proceedings.
- 13.02** The President, Vice President, Secretary and, where necessary, the Treasurer are to represent the Chamber in any official discussion with other constituted bodies or local or foreign authorities unless the Council delegates such function to other officers of the Chamber whether on an ongoing or *ad hoc* basis.
- 13.03** Deeds and certificates, excluding cheques, issued on behalf of the Chamber shall be signed by any two (2) members of the Council duly authorised by the Council. Other documents and correspondence which do not fall in any of the above categories shall be signed by an Officer or Officers duly authorised by the Council.
- 13.04** All members and non-members shall obtain the authorisation of the Council prior to undertaking any initiative or commitment on behalf of the Chamber or otherwise involving the Chamber. In case of default, the Council shall be empowered to:
- (A) refuse to honour the commitment made without its consent;
 - (B) refuse to refund any unauthorised expenses;
 - (C) disclaim any involvement in the initiative or commitment made;
 - (D) take disciplinary action in terms of **Section 11** above against members involved in the unauthorised initiative or commitment;
 - (E) take legal action, or any action whatsoever insofar as this is permissible by law, against the undertaker of the unauthorised initiative or commitment; or
 - (F) resort to any combination of **13.04 (A)** to **13.04 (E)** above.
- 13.05** Officers of the Chamber are expected to refrain from misusing the official titles assigned to them by the Chamber.

SECTION 14

DISSOLUTION AND DISTRIBUTION OF ASSETS

- 14.01** The Chamber may only be dissolved, or amalgamated with another institution or constituted body, upon a unanimous resolution of the Council which is approved by 90% of all the paying members of the Chamber.
- 14.02** After payment of all just debits has been made following dissolution, any funds left over shall be kept in the account of the Chamber and the banks concerned shall be authorised to freeze the account.
- 14.03** A three-person Caretaker Committee, chosen from the last Council unless the Extraordinary General Meeting during which the dissolution is approved determines otherwise, shall take charge of all the Chamber's documents and assets until a new Chamber is formed.
- 14.04** If after the lapse of five (5) calendar years following dissolution the Chamber is not re-established, the Caretaker Committee shall pass all existing documents of the Chamber to the National Archives, and shall pass all other assets of the Chamber to one or more charitable institutions recognised as such by law and whose Statute, aims, objectives, actions, practice, and record are compatible with those of the Chamber, unless two-thirds of the members present and voting at the Extraordinary General Meeting during which the dissolution is approved determine otherwise.

SECTION 15 **OTHER PROVISIONS**

15.01 All other statutes, by-laws, regulations and resolutions issued by the Chamber prior to the issuing of this Statute are hereby repealed, unless their retention is specified in this Statute.

This Statute in its original form was approved by the founding members at an Extraordinary General Meeting held at 24 Victory Street, Senglea on the 2nd of March 2021. This Statute was amended by the same founding members on the 14th of May 2021.

Jesmond Chetcuti (ID 276068 M) President

Karl Azzopardi (0354371 M) Vice-President M

Steve Gambin (ID 0555277 M) Treasurer

Christopher Refalo (ID 0549580 M) Secretary

Nicholas Vassallo (0171082 M) Founding Member

Andrei Cachia (0071774 M) Founding Member

Clarabel Versace (0571992M) Founding Member

APPROVED ACADEMIC QUALIFICATIONS

With reference to Section 3 and Section 4 of the Statute, the following academic qualifications are, in general, considered as suitable and eligible for Tier 1 and Tier 2 memberships, respectively. Nonetheless, in order to ascertain the applicant's validity, relevance, multi-disciplinary, sufficiency and overall level and standard, the Chamber Membership Board and/or its delegated officers, shall carry out a thorough assessment of each and every individual application for membership, specifically, with regards to the academic subjects/module content of the courses forwarded, any other training that may have been pursued by the applicant, as well as the applicant's experience in the field of Construction Management. In the process, the Chamber Membership Board, may request applicants to submit further substantiation documents such as samples of their work, referral letters from clients or employers or any other documentation as may be necessary.

TIER 1 (Construction Project Manager)

Tier 1 membership, for all intents and purposes, shall be processes in line with the procedures of the local Warrant of the Construction Project Manager (CCPM) as regulated by the Government of Malta. Consequently, all academic qualifications accepted and endorsed by the Warranting Board of the CCPM through its review process and followed by the issuance of a Warrant shall be deemed acceptable result in a Tier 1 Membership Status.

Tier 1 membership is the entry level for Construction Project Managers (MCCM_CPM). The following is a list of Undergraduate and Post Graduate qualifications and courses that are deemed to be generally adequate for applications intended for Tier 1 membership in the Chamber of Construction Managers. This list is by no means final and exhaustive, diversely, this is to be considered as a live and fluid document that will be gradually developed and populated with the reviewed, accepted, and approved courses by the Chamber Membership Board, during the Chamber's applications processes.

It must be noted that to be eligible for Tier 1 membership the Approved Academic Qualifications must also be accompanied by 2 years of relevant experience as stated in Section 3 of the Statute and detailed in Annex 2 Approved Fields of experience.

The list shall be maintained by the Chamber so to serve as a general guideline for those applicants that would like to corroborate their current qualifications or for applicants that are in search of courses/qualifications that will make them eligible for Tier 1 membership and the Warrant of a Construction Project Manager (CCPM).

Other qualifications/courses might be eligible and included in the list following approval by the Chamber Membership Board and following verification of eligibility of the course through the The Malta Qualifications Recognition Information Centre (MQRIC) as this must be certified MQF level 6 or higher. As part of the approval process, the Chamber Membership Board shall scrutinize the content of the course and ensure that, as a minimum, this has specifically addressed the following core subjects, namely:

- Contracts and Construction Law
- Safety, Environment and Sustainability
- Principles of Structures and Building Fabric
- Construction Technology and Materials
- Construction Project Management and Site Management
- Construction Planning, Procurement and Finance

List of Undergraduate and Post Graduate qualifications Eligible for Tier 1 Membership

Local Institutions

Name of Institution Ref No	Name of course	MQRIC

Foreign Institutions

Name of Institution Ref No	Name of course	MQRIC

TIER 2 (Construction Site Manager)

Tier 2 membership is the entry level for Construction Site Managers (MCCM_CSM). The following is a list of qualifications, certificates and courses that are deemed to be generally adequate for applications intended for Tier 2 membership in the Chamber of Construction Managers. This list is by no means final and exhaustive, diversely, this is to be considered as a live and fluid document that will be gradually developed and populated with the reviewed, accepted, and approved courses by the Chamber Membership Board, during the Chamber's applications processes.

It must be noted that to be eligible for Tier 1 membership the Approved Academic Qualifications must also be accompanied by 2 years of relevant experience as stated in Section 3 of the Statute and detailed in *Annex 2 Approved Fields of experience*.

The list shall be maintained by the Chamber so to serve as a general guideline for those applicants that would like to corroborate their current qualifications or for applicants that are in search of courses/qualifications that will make them eligible for Tier 2 membership.

Other qualifications/courses might be eligible and included in the list following approval by the Chamber Membership Board and following verification of eligibility of the course through the *The Malta Qualifications Recognition Information Centre* (MQRIC) as this must be certified MQF level 5 or higher. As part of the approval process, the Chamber Membership Board shall scrutinize the content of the course and ensure that, as a minimum, this has specifically addressed the following core subjects, namely:

- Contracts and Construction Law
- Safety, Environment and Sustainability
- Principles of Structures and Building Fabric
- Construction Technology and Materials
- Construction Project Management and Site Management
- Construction Planning, Procurement and Finance

List of Undergraduate and Post Graduate qualifications Eligible for Tier 2 Membership

Local Institutions

Name of Institution Ref No	Name of course	MQRIC

Foreign Institutions

Name of Institution Ref No	Name of course	MQRIC

TIER 3 (Associate Member)

Tier 3 membership is the entry level for the Associate Member (MCCM_AM).

There is no obligatory minimum level of academic qualification for Tier 3 membership as this is open to anyone working in the Construction Management environment in general and at any level.

Tier 3 is to be considered as the introductory level for the Chamber of Construction Managers and is intended to include for those candidates that, for any reason, would not meet the minimum requirements of the other Tiers but would like to be part of the local community of Construction Managers, be a full member of the Chamber and thus, to take advantage of all the benefits this has to offer for the development of a career in Construction Management.

Amongst others Tier 3 would be welcoming candidates that:

- Have a minimum of 5 years' experience in the field of Construction Management but do not possess the necessary relevant academic qualifications.
- Have successfully obtained the minimum academic levels for the other Tiers but are currently building up their relevant experience.

APPROVED FIELDS OF EXPERIENCE

Approved Fields of Experience

To be eligible for membership within the various Tiers, candidates shall be required to prove the minimum years of experience as stated in the Section of the Statute. Experience is expected to be pertinent and relevant in the various fields of Construction Management, depending on the Tiers as detailed below.

TIER 1 (CONSTRUCTION PROJECT MANAGEMENT)

The Construction Project Manager is, in general, expected to be knowledgeable and experienced in the various facets of Construction Management and to effectively implement projects through proper planning, coordination, control and monitoring of designs, works programs, budgets, contracts, and construction processes. Moreover, the Construction Project Manager is expected to develop effective communication channels and implement mechanisms for identifying project issues and successful conflict resolution.

It shall be the applicant's responsibility to demonstrate, to the Chamber Membership Board, sufficient and adequate experience in the multi-disciplinary and professional approach to Construction Management.

Applications shall be subject to thorough review and analyses, by the Chamber Membership Board and/or its delegated officers, so to verify that the experience of the applicant is relevant and sufficient and to ensure that this meets the requirements of the provisions of the Statute. To this effect, the Chamber Membership Board, may request applicants to submit further substantiation documents such as samples of their work, referral letters from clients or employers or any other documentation as may be necessary.

Applications shall be expected to demonstrate experience in line with the below minimum requirements, namely:

- **Project Management Planning:** Experience in the definition of project high level objectives and plans including identification and description of the scope, budgeting, scheduling, setting of key performance requirements, and selecting project participants/key stakeholders. The setting up of official and effective communication channels and monitoring and coordination of the various inputs from the various stakeholders.

- **Cost Management:** Experience in the setting up of project budgets and feasibility studies, effective management of tendering and adjudication mechanisms and procurement of works as well as monitoring of project costs and tracking, supervising and controlling project cost changes and variations.
- **Time Management:** Experience in the planning, phasing, sequencing and drafting of detailed project programs and plans. The identification of milestones and risks as well as the constant and effective monitoring of work plans, reporting and identification of mitigatory measures and ways to address any delays and time management issues.
- **Quality Management:** Experience in the setting up of adequate quality monitoring and supervision systems covering all aspects of projects from design to specification to actual implementation and installation on site.
- **Contract Administration:** Experience in setting up contractual links within the various project stakeholders as well as to manage, monitor and supervise inputs and outputs so to ensure that obligations and commitments are fulfilled and respected. Experience in formal and official governance of contracts and contractual matters is expected.
- **Site and Safety Management:** Experience in the management of site related aspects such as logistics, safety and the adherence to local construction regulations. Setting up of site safety protocols and constant monitoring of safety procedures and the management and implementation of ongoing mitigatory measures

TIER 2 (CONSTRUCTION SITE MANAGEMENT-CSM)

The Construction Site Manager is expected to be knowledgeable and experienced in the various facets of Construction Management although such experience shall be backed up with lower academic qualifications than that of the CPM. However, whilst it is understood that the experience of the CSM would be inclined more towards site related aspects of construction management the CSM would still be required to demonstrate good understanding of the various facets of management such as detailed planning and sequencing of works, safety practices, contract understanding and interpretation, effective communication and suitable monitoring, supervision and reporting skills.

It shall be the applicant's responsibility to demonstrate, to the Chamber Membership Board, sufficient and adequate experience in the multi-disciplinary and professional approach to Construction Site Management.

Applications shall be subject to thorough review and analyses, by the Chamber Membership Board and/or its delegated officers, so to verify that the experience of the applicant is relevant and sufficient and to ensure that this meets the requirements of the provisions of the Statute. To this effect, the Chamber Membership Board, may request applicants to submit further substantiation documents such as samples of their work, referral letters from clients or employers or any other documentation as may be necessary.

Applications shall be expected to demonstrate experience in line with the below minimum requirements, namely:

- **General Supervision of the Project Construction Phase:** Experience in direct supervision and monitoring of construction works in general. The understanding and interpretation of the various construction related documents such as programs of work, specifications, drawings, contracts, bills of quantities etc...
- **Management of Project Stakeholders:** Experience in the effective management and coordination of inputs from the various project stakeholders such as, but not limited to, Project Managers, Architects, Engineers, Designers, Contractors, H&S Supervisors, Quantity Surveyors, QA Agencies, Suppliers, other Professionals, relevant Authorities and the public in general.
- **Detailed Planning and Coordination of Construction Operations:** Experience in the direct planning, supervision and coordination of the various operations carried out by contractors on site. The detailed understanding of project information, materials and working methods so to effectively identify

human resources allocations and adequate plant and equipment so to ensure that works are implemented efficiently, safely and within the required timeframes. Reporting on planning, procurement, resourcing and site related matters as well as effective administration of documentation.

- **Project Quality Monitoring:** Experience in understanding and interpretation of project information and to effectively manage quality related processes and systems so to monitor the implementation of works on site and that these are carried out up to the required quality standards and specification. Reporting on quality issues and effective administration of related documentation.
- **Project Cost Monitoring:** Experience in understanding and interpretation of budget and cost related information and to effectively manage cost related procedures such as interim costs and change orders/variations so to monitor budgets and expenditure. Reporting on cost related matters and effective administration of related documentation.
- **Management and Monitoring of Health and Safety on Site:** Experience in the understanding of safety related documentation, liaising with the necessary H&S experts (both from Client and Contractor sides) and to monitor processes required to ensuring the effective follow-up on any required hazard mitigation measures as may be specified in safe works method statements, risk assessments and periodic H&S reports.
- **Project Issues Management:** Experience in the detailed vetting and analyses of project information so to facilitate the timely identification and foreseeing of potential operational, logistical and site implementation related matters as well as the proposal and suggestion of the necessary prevention and mitigatory measures to the project team.
- **Permits and Authorizations:** Experience in the obtainment of the required permissions and authorizations as may be necessary for the safe and regular undertaking of works on site. Such permits may include external authorizations such as local councils and government entities as well as project related authorizations such as permits to dig, permits to lift, hot works permits etc..

TIER 3 (Associate Member-AM)

Tier 3 is to be considered as the introductory level for the Chamber of Construction Managers and is open to all those candidates working in the field of Construction Management in general and at any level. The Associate Member, if not in possession of a Diploma/Certificate MQF/EQF Level 5 (or higher) in Construction Management, shall be expected to demonstrate a minimum of 5 years' experience in line with the requirements detailed for the CSM above.

Applicants for Tier 3 Membership shall be encouraged to work themselves up the Tiers of the Chamber and shall be expected to remain in the Tier for a limited time until they manage to obtain the minimum requirements for the other two Tiers.

Notes:

- (1) Applicants that have enough academic credentials to qualify for Tier 1 but not the experience indicated on the statute, will be temporarily placed in Tier 2 until they gain the minimum Construction Management experience required.
- (2) Applicants that possess enough experience to qualify for Tier 1 but don't have the minimum academic requirements, will be also placed in Tier 2 until the relevant academic qualifications area obtained.
- (3) Applicants that don't have any of the minimum requirements indicated for the specific tier (both academic and experience), will be temporarily placed in Tier 3.

This document emphasizes that the final aim is that all members of the chamber fall in the Tier 1 and Tier 2 category, so the Tier 3 is expected to be a transitional Tier that in a short time will be abolished.

ANNEX 3

CODE OF ETHICS AND STANDARDS

In accordance with Section 11 and where there is reference to the Code of Ethics and Standards on this document members shall uphold and operate with the following set of values:-

- 1) Acting with integrity
- 2) Respecting others
- 3) Strive for quality standards including a high standard of service
- 4) Being accountable for the performance of their duties and for their behavior
- 5) Acting in a way that promotes trust in the profession
- 6) Continue to develop professional knowledge and competency as Construction Manager
- 7) Health and Safety

Integrity

All Members of the Chamber shall:

- 1) Be honest
- 2) Be straightforward
- 3) Be trustworthy
- 4) Be open and transparent
- 5) Be respectful of confidential information of clients, potential clients, and Employers
- 6) Do not take advantage of a client, a colleague, an employer, a third party or anyone owed a duty of care.
- 7) Do not allow bias, conflict of interest or the influence of others to override professional or business judgements or obligations
- 8) Make it clear to all interested parties where conflict of interest arises
- 9) Do not offer or accept gifts, hospitality, compensation, privilege, or services which may suggest an improper obligation
- 10) Act consistently in the public interest when decisions are made, or advice is given

Respect

All Members of the Chamber shall:

- 1) Treat others with courtesy, politeness, and consideration no matter their race, religion, size, age, country of origin, gender, sexual orientation, or disability.
- 2) Be aware of cultural sensitivities and business practice.
- 3) Work with clients, colleagues, an employer or a third party in a spirit of cooperation.

Quality

All Members of the Chamber shall:

- 1) Ensure clients, employers and others who are due a professional responsibility receive the best advice, support, or performance of the agreed terms of engagement.
- 2) Be clear what services are offered.
- 3) Be competent at the services offered.

Accountability

All Members of the Chamber shall:

- 1) Take responsibility of actions, decisions, and behavior.
- 2) Act with skill, care, and diligence.
- 3) Be ready to have actions judged by others.

Trust in the Profession

All Members of the Chamber shall:

- 1) Act in a manner, both in professional and private life, to promote the profession in a positive way.
- 2) Not undertake work for which they lack sufficient professional knowledge
- 3) or technical competence to meet obligations.
- 4) Understand actions affecting others and the environment.
- 5) Fulfilling obligations.

Professional development

All Members of the Chamber shall:

Keep themselves informed of current practices and developments within the construction industry appropriate to the type and levels of their responsibilities.

Health and Safety

All Members of the Chamber shall:

- 1) Have a comprehensive knowledge of health and safety practices both in the office and on construction sites;
- 2) Bring to the attention of the relevant authorities any breach in standard construction health and safety practices they may witness.

ANNEX 4

THE PRESIDENT AND THE VICE PRESIDENT

In the spirit of the democratic will of the majority of the members of the chamber, the position of president and vice president within the administration of the chamber are to be chosen by a popular vote.

Process

During the election campaign for the positions of council members, those interested to hold the position of a president and/or vice president should declare so at this stage of the campaign.

This will give time to the prospective applicant to explain his/her vision and plans for his/her term of office.

The election for president and vice president will take place on the same day as the one for the seven members of the council.

It is expected that those submitting their interest in the position of a president and vice president, submit also an application to form part of the council (as these two positions are to be occupied by two council members).

For an applicant to be confirmed as the winning candidate in the election for president or vice president, the same candidate must be elected also as one of the seven members of the council.

If, the applicant for the position of a president or/and vice president that gains the most votes (first preferences), fails to get elected in the council, the second applicant with the most votes will be declared the winner (on the condition that this candidate is elected for the council). This procedure will continue until the person with the most votes is also elected as a council member.

In this manner, the election of the council takes precedence on that for president/vice president.

ANNEX 5 TEMPORARY PROVISIONS FOR THE MEMBERSHIP OF THE CHAMBER

SECTION 3 MEMBERSHIP

Clause 3.03

Conditions and Eligibility of Membership

Tier 1 (Construction Project Manager)

One of the conditions indicated;

‘Holders of the relevant Warrant of a Construction Project Manager as issued by the Government of Malta’;

This condition will remain in abeyance until such time that the Warranting Act (To Establish and Regulate the Profession of Construction Project Managers) shall come into force.

Members satisfying the other two eligibility criteria will be granted a temporary Tier 1 status.

If a temporary holder of a Tier 1 membership does not obtain the warrant as indicated on this statute, within the timeframe indicated by the Act, that member will no longer be eligible for a Tier 1 membership.

ANNEX 6

APPOINTMENT OF THE CHAMBER MEMBERSHIP BOARD

With reference to the Chamber Membership Statute this Annex will regulate the appointment of the Chamber Membership Board.

The role and mandate of this board will be to review every individual application to join the Chamber in any of the three (3) Tiers and to advise the Council accordingly.

FORMATION OF THE BOARD

The board will be composed of four members of the Chamber. At least two of them are to be members of the Council; the other two can be any other members of the Chamber that do not form part of the Council.

A Chairperson and a Vice Chairperson will head the board and will be appointed by the Chamber's Council. The Chairperson must be a Tier 1 member.

Depending on the number of new applicants, this board is bound to meet at least once a month. In special circumstances, the board might be required to meet more often.

REPORTING

Following the review of each application, the board will recommend to the Chamber Council if the applicant is deemed eligible to join the Chamber and to which Tier the applicant should be part of.

If in the Board's opinion anyone applicant does not have the credentials as per Annex 1 and Annex 2 of this statute, or different from the one indicated by the applicant, the Board is to submit a report justifying their decision.

This report can or might be included with the official feedback the Chamber Administration is bound to give to the applicant.

DURATION

The term of appointment of this board is for a maximum of two (2) calendar years, unless the Chamber's Council decides to re-confirm the members or any of the members for another term.

ANNEX A MEMBERSHIP APPLICATION



MALTA CHAMBER OF CONSTRUCTION MANAGEMENT
PROFESSIONALISM, INNOVATION AND QUALITY IN CONSTRUCTION MANAGEMENT

Membership Application Form (For Individual Membership)

To ensure we have the correct contact details for you, please fill out this form and submit it via email to ehowell@mccm.org.mt

Section 1: Applicant Personal Details:

Name:	
Address:	
Postcode:	
Home Telephone Number:	
Mobile Number:	
Email Address:	
Date of Birth:	

ID or Passport Number									
Present Employer (or Self Employed)									
Highest Level of Education (University, Post-Secondary, Secondary, None of these)	<table border="1"> <tr> <td>University</td> <td>Post-Secondary</td> <td>Secondary</td> <td>None of These</td> </tr> <tr> <td><input type="radio"/></td> <td><input type="radio"/></td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> </table>	University	Post-Secondary	Secondary	None of These	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
University	Post-Secondary	Secondary	None of These						
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>						

Gender (check applicable field):

Male <input type="radio"/>	Female <input type="radio"/>	Other (pls specify) <input type="radio"/>	Prefer Not To Say <input type="radio"/>
----------------------------	------------------------------	---	---

MALTA CHAMBER OF CONSTRUCTION MANAGEMENT



MALTA CHAMBER OF CONSTRUCTION MANAGEMENT
PROFESSIONALISM, INNOVATION AND QUALITY IN CONSTRUCTION MANAGEMENT

Section 2: Membership Level:

Please circle/mark the membership level you'd like to hold.

Tier 1 <input type="radio"/>	<i>For Warrant Holders (Construction Project Manager Warrant)</i>	€85
Tier 2 <input type="radio"/>	<i>For Site Managers (MQF/EQF Level 5 in Construction Management)</i>	€70
Tier 3 <input type="radio"/>	<i>Associate (for Managers/Supervisors that at the time of application don't fall in any of the other two tiers)</i>	€55

Fees indicated above are for one calendar year starting from January.

Membership Applications that are processed later than January will pay a pro rata fee (ref to table below)

Between January and March 100%
Between March and June 75%
From June onwards 50%

Section 3:

Disclaimer: The submission of this application doesn't constitute as acceptance of full membership of the Malta Chamber of Construction Management (MCCM). All applications are reviewed by the Membership Review Board and applicants informed accordingly.

The Chamber reserves the right, that following the review of this application, it will recommend a different type of membership than the one chosen by the applicant.

It is not excluded that further information and/or even an in person interview might be requested by the board.

A recent Curriculum Vitae (CV) is to be included with this application

The particulars and information given on this application are true and correct. I agree that if I am accepted as a member of this chamber, to have read and acknowledge the Chamber's statute and will abide by the Rules and Regulations.

Signature of Applicant/ Insert full name	
Date	

If you require any further information or clarification regarding this application, please contact:

The Membership Review Board Officer on email address: ehowell@mccm.org.mt

MALTA CHAMBER OF CONSTRUCTION MANAGEMENT

ANNEX B
MEMBERSHIP RATES

Tier 1	<i>For Warrant Holders (Construction Project Manager Warrant)</i>	€85
Tier 2	<i>For Construction Site Managers (MQF/EQF Level 5 in Construction Management)</i>	€70
Tier 3	<i>Associate (for Managers/Supervisors that at the time of application don't fall in any of the other two tiers)</i>	€55

ANNEX C
NOMINATIONS FOR ELECTIONS
