

BY-LAW 09

National Scout Youth Forum And the National Scout Youth Council

Version 1.0

Approved by National Scout Council on 3rd November 2016

Preamble:

The proposal for the creation of the National Scout Youth Forum and National Scout Youth Council was proposed by the National Scout Council and its Term of Reference accepted by the General Assembly of The Scout Association of Malta in December 2013, with the final aim to promote youth involvement and empowerment across all levels of the association. During December 2014, the two bodies were officially defined and protected within the constitution of the association. This by-law to help within the youth council and forum's operation were first proposed by the National Scout Youth Council in 2015. Then, the National Scout Youth Forum approved this by-law in September 2016 and the National Scout Council unanimously ratified it in November 2016.

Key Words:

TSAM – The Scout Association of Malta

NSYF – National Scout Youth Forum

NSYC – National Scout Youth Council

NSC – National Scout Council

Introduction:

This by-law, or sometimes referred to as the NSYF and NSYC statute, is divided into four main sections, with the aim of regulating the operation of the:

1. National Scout Youth Forum,
2. National Scout Youth Council
3. Election to National Scout Youth Council
4. Other Matters

The by-law details the minimum provisions that need to be adhered to, however the youth council, youth forum and the election commissioner are allowed discretion to specify unclear areas during and only for their term of operation.

1. National Scout Youth Forum

1.1. Identity

- 1.1.1. The official name of the organ is 'National Scout Youth Forum'.
- 1.1.2. The official acronym of the organ is 'NSYF'.
- 1.1.3. For the purposes of this by-law, 'National Scout Youth Forum' is referred to as 'youth forum'.

1.2. Functions:

- 1.2.1. Discuss topics of interest to the youths
- 1.2.2. Give its opinion upon both association's and society's matter
- 1.2.3. Help to set targets and priorities for the youth council
- 1.2.4. Discuss and vote upon motions presented

1.3. Members

- 1.3.1. The members of the youth forum are all the scouts within the association aged between 14 to 26 years old.
- 1.3.2. All members should hold the right to vote.

1.4. Occurrence

- 1.4.1. The youth forum shall take place at least once every two years.
- 1.4.2. If it is the election year, the youth forum shall take place in conjunction with the election of the new youth council.
- 1.4.3. The forum shall take place over the course of one day or more as deemed necessary by the forum administration.

1.5. Motions and Resolution

- 1.5.1. There are two type of motions available:
 - 1.5.1.1. Statute Motion, that proposes an addition or change in these by-laws
 - 1.5.1.2. General Motion, that proposes a vote upon any relevant positions or documents

1.5.2. Motion Procedure

- 1.5.2.1. Motions should specify the reasons and evidence behind it as well as clearly call for relevant actions and target, saying who is responsible and specifying the time-frame.
- 1.5.2.2. Any Motion should be backed at least by one proponent and five seconders.
- 1.5.2.3. The forum administration should explain this procedure and give a motion template as per section 1.6.
- 1.5.2.4. Motions can only be put forward to the forum administration and youth council till the days stipulated in section 1.6

1.5.2.5. The initial motion, together with the youth council's opinion, should be made available to all members. The members are to be asked for feedback and/or counterproposals as per section 1.6

1.5.2.6. The motion, countermotions and feedback document should be made accessible to all members as per section

1.5.3. Normal Voting Procedure

1.5.3.1. Before voting takes place, the chairperson of the youth forum needs to provide appropriate but time-limited space for people to voice out their opinion.

1.5.3.2. Any small amendment to the motion at hand can only be carried out by its proponent or anyone of the seconders.

1.5.3.3. The last countermotion presented should take precedence for voting before the previous countermotion or original motion.

1.5.3.4. The motion can be removed from the voting list if:

1.5.3.4.1. The forum chairperson decides that is too similar to another motion and there is no need for it.

1.5.3.4.2. Two-thirds majority from the proponent and seconders agree to drop it.

1.5.3.5. A Statue motion requires two-thirds majority while a General Motion needs to obtain a simple majority.

1.5.3.6. All motions should follow the procedure specified above unless the forum chairperson evokes the fast-track motion procedure.

1.5.4. Fast-Track Motion Procedure

1.5.4.1. This procedure should only be enacted during the forum and upon decision of the forum chairperson, if he/she feels the matter at hand cannot wait for the next forum.

1.5.4.2. In this case, the chairperson should present a new motion that was not on the agenda.

1.5.4.3. The contents of the motion should be made clearly to all forum members and an appropriate but time-limited discussion takes place.

1.5.4.4. For a motion proposed under the fast-track procedure to be approved it requires a supermajority vote of 80%.

1.5.5. Once a motion is accepted, it becomes a resolution and added to the Youth Resolutions Register.

1.6. Administration

- 1.6.1. The youth council has the option to either organize the forum on its own or form a sub-committee.
- 1.6.2. In either case, the youth council has the facility to ask the NSC and Executive for help as required.
- 1.6.3. The administration should follow the following deadlines during the preparation of the youth forum

Action	Days preceding youth forum
Publication of youth forum date	90
Publication of motion procedures	60
Publication of draft program	60
Closure of Motion proposals	40
Publication of Motions	30
Closure of Motion Feedback	20
Publication of Motions, Countermotions and Feedback	15
Publication of Final Agenda	15

- 1.6.4. The Youth Forum shall be chaired by the current youth council's chairperson. In case of his/her absence or excuse, the youth forum shall choose a chairperson by simple majority.
- 1.6.5. The Youth Forum shall be reported and where appropriate minuted by the current youth council's secretary. He/she is allowed to appoint a number of assistants as required.
- 1.6.6. The administration should follow the following deadlines after the end of the youth forum

Action	Days at least after youth forum
Publication of results and resolutions	5
Re-Publication of Resolutions Register	15
Publication of youth forum report	30

2. National Scout Youth Council

2.2. Identity

- 2.2.1. The official name of the organ is 'National Scout Youth Council'.
- 2.2.2. The official acronym of the organ is 'NSYC'.
- 2.2.3. For the purposes of this statute, 'National Scout Youth Council' is referred to as 'youth council'.
- 2.2.4. The Mission of the Youth Council is "To support The Scout Association of Malta be a youth-led organization at all levels, be it local or national level"
- 2.2.5. The Vision of the youth council is decided together with the council's action plan and published by the council itself during the first three months of office.

2.3. Functions

- 2.3.1. Represent youth members at an organization and national level
- 2.3.2. Make recommendations to the National Scout Council on a range of issues affecting scouting in Malta, issues of young people, etc
- 2.3.3. Discuss priority topics that are of interest to the youth on a scouting level defined following the NSYF, surveys amongst scout members and other online scout forums
- 2.3.4. Discuss topics that might be requested directly from the NSC or Executive
- 2.3.5. Represent the Association's voice at the Kunsill Nazzjonali taz-Zghazagh (KNZ)
- 2.3.6. Propose any policies forward to the appropriate bodies.
- 2.3.7. All elected youth council member are to represent the youths of the association within the General Assembly.
- 2.3.8. To organize a National Scout Youth Forum for all members aged between 14 to 26 years old, where priority issues, resolutions and the Terms of Reference of the youth council are discussed, agreed and amended upon.

2.4. Composition

- 2.4.1. The youth council should be composed of eleven elected members as specified in section 3.
- 2.4.2. The permanent roles that shall be appointed from within its elected members are:
 - 2.4.2.1. Chairperson
 - 2.4.2.2. Two representatives to attend the National Youth Council (Kunsill Nazzjonali taz-Zghazagh)'s meetings
 - 2.4.2.3. Two representatives to form part of the National Scout Council

2.4.3. Other roles can be assigned as deemed necessary by the youth council and can serve either for a fixed period or the whole term. These roles cease to exist upon the expiry of the council's term.

2.4.4. The Secretary of the Youth Council is appointed by the eleven elected members.

2.5. Subcommittees

2.5.1. The Youth Council has the facility to create its own subcommittees, as it deems necessary.

2.5.2. Subcommittees can either be composed only of elected members but could also include youths from outside the youth council.

2.5.3. Decisions at subcommittee level should be only be taken by a vote among the youths, irrespective if elected or not.

2.5.4. Subcommittees can seek help or opinion from external experts both for a short or long term.

2.6. Term of Office

2.6.1. The elected members of the Youth Council shall hold office for two years and will be eligible for re-election for a further two year term. After this period the retiring member will not be eligible for reelection.

2.6.2. There shall be a handover period of one month, where at least two meetings shall take place.

2.7. Attendance, Resignation and Co-option

2.7.1. Elected members have the duty to attend all youth council meeting unless they inform the secretary with their excuse before the start of the meeting.

2.7.2. A resignation from the council members can happen in the following cases:

2.7.2.1. A member who closes his/her 26th birthday automatically seizes to hold office at the youth council.

2.7.2.2. A member who is no longer a scout automatically seizes to hold office at the youth council.

2.7.2.3. After being absent without any excuse for three consecutive meetings

2.7.2.3.1. The member will automatically seize to hold office at the youth council.

2.7.2.3.2. The member is informed of the matter and has up to a week to appeal this decision in front of the youth council's chairperson, Chief Scout and Honorary Secretary.

- 2.7.2.4. If the member does not have time to do his/her duties, the member is able to submit a resignation to the youth council.
- 2.7.3. If a member resigns from the youth council, it the youth council's decision to co-opt or not a new member.
- 2.7.4. A new member is co-opted from the contestant list of resigned member's district, in preference of the highest vote count.
- 2.7.5. If the contestant list is exhausted, an electoral commission is to be appointed, as per rules, to organize a district election. The district election does not need to occur during a youth forum.

2.8. Meetings

2.8.1. Frequency

- 2.8.1.1. The youth council should meet at least once every quarter.
- 2.8.1.2. Failure to meet three consecutive quarters will lead to the youth council being dissolved and a new youth forum called.

2.8.2. Location

- 2.8.2.1. Location of meetings shall be done at any location providing that the place is accessible to all and location free of charge.

2.8.3. Quorum

- 2.8.3.1. The presence of six members having the right to vote shall constitute a quorum

2.8.4. Operation

- 2.8.4.1. Notice of the meeting should be given at least one week.
- 2.8.4.2. Agenda should be proposed by the chairperson upon consultation by the youth council members.
- 2.8.4.3. Meeting should following agenda unless there is a qualified 2/3 majority to do otherwise.

2.8.5. Voting

- 2.8.5.1. Each elected member of the Youth Council shall have one vote.
- 2.8.5.2. The appointed secretary shall not hold a vote unless he is one of the elected members.
- 2.8.5.3. Resolutions shall be taken by a simple majority of the members present and voting. In the event of a tie the Chairperson has a casting vote.
- 2.8.5.4. Voting shall take place using the show of hands, unless a secret vote is requested.

2.9. Reporting

- 2.9.1. While the youth council is the highest youth body in the association, it still has the responsibility to report back the National Scout Council.
- 2.9.2. The youth council needs to report back to the youth forum where it presents its strategy, work plans and reports as appropriate.
- 2.9.3. The youth council should regularly update the National Scout Council on its operation.
- 2.9.4. The youth council is to present a report to be included within the association's annual report.
- 2.9.5. Any final decisions in regards to policy proposal should be either taken at National Scout Council or General Assembly level.

2.10. Additional Guidelines and Procedures

- 2.10.1. The youth council has the facility to create and adopt any additional guidelines, rules and/or procedures during the course of its current term.
- 2.10.2. These guidelines, unless voted upon by a youth forum motion, cease to exist upon the expiry of the youth council term.
- 2.10.3. These guidelines being term-limited or permanent should be made available to all members of the association.

2.11. Resources

- 2.11.1. The youth council may use any means to get input from the youth members of the association including e-mails, questionnaires, etc.
- 2.11.2. While the youth council does not have the automatic right to have an assigned budget, it can propose any justified budget and eventual expense to the Executive.

2.12. NSYC Mentor/s

2.12.1. Selection

- 2.12.1.1. The youth council shall have the responsibility to select up to two adult members to serve as their mentor/s.
- 2.12.1.2. These two mentors shall be approved by both the Executive and National Scout Council

2.12.2. Role of the Mentor

- 2.12.2.1. To guide the youth council on current policies of TSAM
- 2.12.2.2. To provide advice when requested
- 2.12.2.3. To attend NSYC meetings in advisory position without any voting powers.

3. Election to National Scout Youth Council

3.1. Electoral Commission

- 3.1.1. The youth council is to inform the National Scout Council to appoint three members that will serve as the electoral commission.
- 3.1.2. The electoral commission has to responsibility to oversee the entire election process of the new youth council and ensure that this is carried out appropriately as laid out in this section.

3.2. Timeline of Election

- 3.2.1. The Electoral Commission should follow the timeline as specified below according to the rules given in other sections.

Action	Days at least before youth forum
Announcement of Election Date and opening of nominations	90
Closure of nominations	40
Receipt of Candidates Brief	35
Announcement of Candidates	30
Publishing of Candidates Brief	30
Announcement of full results	0

3.3. Nominations

- 3.3.1. Electoral Commission should give access to
- 3.3.1.1. a youth to submit his own nomination.
- 3.3.1.2. all youths to nominate their peers.
- 3.3.2. The respective Group Scout Leader is to be notified by the Electoral Commission post-nominations that one of the candidates is from their group but cannot hinder or influence the matter
- 3.3.3. Electoral Commission should check each nominee against the eligible criteria and then ask with member if he/she is still interested to be a candidate. If the reply is positive in both matters, the nominee becomes a candidate.
- 3.3.4. If a candidate does not submit his/her brief the publishing of candidates brief goes on.
- 3.3.5. Any candidate has the facility to promote his/her candidature providing that he/she obey the scout promise and law.

3.4. Eligibility Criteria

- 3.4.1. Being a full member of the association
- 3.4.2. Age of nominee is to be between 14 to 25 years old
- 3.4.3. A nominee can only serve for a maximum of 2 consecutive youth council terms after which he/she must take at least a two year break before being re-elected

3.5. Election Rules

- 3.5.1. Voting shall hold place at district level, with youths voting for nominees emerging from their district.
- 3.5.2. The eleven elected member to youth council shall be
 - 3.5.2.1. Three from North District
 - 3.5.2.2. Three from Central District
 - 3.5.2.3. Three from South District
 - 3.5.2.4. Two from Gozo District
 - 3.5.2.5. One elected member of each district has to be 18 years old irrespective of the voting count.
 - 3.5.2.6. There can be only be a maximum of two elected member coming from the same scout group.
 - 3.5.2.7. In the case of multiple nominees from the same group, they are allowed to run, with the two highest vote count only being elected to the youth council.

3.6. Announcement of Results

- 3.6.1. The result including the poll count is to be made public on the day of the youth forum.

3.7. Appeals

- 3.7.1. Any recount of votes can be asked to the Electoral Commission within 6 days.
- 3.7.2. All ballot sheets are to be destroyed on the 7th day.

4. Other Matters

4.1. Changes to By-Law or Standing Guidelines/Procedures

- 4.1.1. Proposals to change parts of these by-laws should be done by the youths themselves using the motion procedure in section 1.
- 4.1.2. The National Scout Youth Council has the facility to change part of the by-laws providing after gaining a simple majority on the proposals when proposing them on the National Scout Council.
- 4.1.3. The National Scout Council reserves the right to veto any changes proposed by youths or change parts of this by-law, providing that there is two-thirds agreement with the Scout Council.
- 4.1.4. Any changes happening through article 4.1.2. and 4.1.3 are to be ratified during the next forum.