



THE *scout* ASSOCIATION  
OF MALTA

**THE CONSTITUTION**

**OF**

**THE SCOUT ASSOCIATION OF MALTA**

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OF  
THE SCOUT ASSOCIATION OF MALTA**

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## CONSTITUTION

### PREAMBLE

Scouting was introduced in Malta in 1908, and the first Groups were formed in 1909. The Malta Boy Scouts Association was formed on November 9, 1908 and officially recognised, as was the procedure then, exactly a year later. The Association was on September 15, 1913 registered as a branch of The Boy Scouts Association of the United Kingdom with the objective of developing Scouting in Malta.

In 1966, the Association became an independent body and on October 28, 1966 was granted recognition as a Member-Organisation of the Boy Scouts World Conference and registered as a full member at the Boy Scouts World Bureau, which later became known as the World Organisation of the Scout Movement (WOSM). In 1976, the name of the Association was restyled as *'The Malta Scouts Association'*. By a further amendment on 31 October 1978, in order to comply with the provisions of Act XXII of 1978, the name of the Association was established as *'The Scout Association'*. In 1994 the Constitution was reviewed and the name of the Association became *'The Scout Association of Malta'*.

The 1994 Constitution was rewritten in September 1998 when the National Scout Council opined that the Movement in Malta needed to be restructured. The revised Constitution was formally approved by the National Scout Council in December 1998 with the first General Assembly, as provided for in the new Constitution, being held on Monday, 1<sup>st</sup> February 1999. Since then, the General Assembly has approved updates to the Constitution with the current version 2.5 having been revised on 27 August 2020.

The Association has been vested with the jurisdiction over the Maltese islands.

This Constitution governs the operation of The Scout Association of Malta in a spirit of world co-operation, friendship and brotherhood.

## CHAPTER 1

### THE SCOUT ASSOCIATION

#### ARTICLE 1

##### Definition

1.1 The Scout Association of Malta is a voluntary, independent, non-profit organisation for a public benefit; non-political, non-governmental, educational and philanthropic movement for young people, open to all without distinction of gender, origin, race or creed, in accordance with the purpose, principles and method conceived by the founder of Scouting, Lord Robert Baden-Powell and as further stated below.

##### Aim

1.2 The aim of the Scout Association of Malta is to contribute to the development of young people in achieving their full physical, character, intellectual, emotional, social and spiritual potential as individuals, so that they can take a constructive role in society as responsible citizens and as members of their local, national and international communities.

##### Mission

1.3 'The mission of Scouting is to contribute to the education of young people, through a value system based on the Scout Promise and Law, to help build a better world where people are self-fulfilled as individuals and play a constructive role in society.' *WOSM 35th World Scout Conference - Durban, South Africa 1999.*

The Scout Association of Malta will achieve this Mission by locally adopting the 'Vision for Scouting' as set by the latest World Scout Conference, and which will be based on:

- Facilitating young people in their own personal development by using the Scout Method that makes each individual as a self-reliant, supportive, responsible and committed person;
- Providing them with the opportunities to lead;
- Fostering the core values of the Scout Promise and Law;
- Creating an environment which supports our youth members to become active citizens.

#### ARTICLE 2

##### Definition

2.1 The Association is a single entity composed of all the individual members who are approved, in accordance with the criteria laid down in this Constitution and the Policy Organisation and Rules referred to as the POR hereinafter, to become part thereof, hereinafter called 'Scouts'.

##### Aim

2.2 Nevertheless, solely and exclusively for the purpose of the effective management and training of the members and better utilisation of resources of the Association, all Scouts shall be assigned to a group hereinafter called 'Scout Group', headed by a 'Group Scout Leader',

and the groups shall be assigned into 'Districts'.

**ARTICLE 3**  
**Principles**

3.1 The Scout Movement in Malta is based on the following principles:

**Duty to God**

Adherence to spiritual principles, loyalty to the religion that expresses them and acceptance of the duties resulting therefrom.

**Duty to others**

Loyalty to one's country in harmony with the promotion of local, national and international peace, understanding and co-operation. Participation in the development of society, with recognition and respect for the dignity of one's fellow man and for the integrity of the natural world.

**Duty to self**

Responsibility for the development of oneself.

**Adherence to a  
Promise and Law**

3.2 All members of the Scout Movement are required to adhere to the Scout Promise and Law.

*On investiture all uniformed members of the Scout Movement, other than Cub Scouts and Beavers shall make the following Promise:*

**The Scout Promise**

On my honour I promise that I will do my best  
To do my duty to God and my Country;  
To help other people at all times;  
To obey the Scout Law.

**Il-Wegħda tal-iScouts**

Fuq l-unur tiegħi nwiegħed li nagħmel ħilti  
Biex naqdi dmiri lejn Alla u Art Twelidi  
Biex ngħin lil ħaddieħor kull ħin  
Li nobdi l-ligġi tal-iScouts.

*A Cub Scout shall make the following promise:*

**The Cub Scout Promise**

I promise that I will do my best  
To do my duty to God and my country,  
To help other people.  
To obey the Cub Scout Law.

**Il-Wegħda tal-Cubs**

Inwiegħed li nagħmel ħilti  
Biex naqdi dmiri lejn Alla u Art Twelidi  
Biex ngħin lil ħaddieħor,  
Li nobdi l-ligġi tal-Cub Scouts.

***A Beaver Scout shall make the following promise:***

**The Beaver Promise**

I promise to do my best  
to love God  
to help other people  
and to follow the Beaver motto.

**Il-Wegħda tal-Beavers**

Inwiegħed li nagħmel hilti  
inħobb lil Alla;  
ngħin lil haddieħor u ngħix il-motto tal-Beavers.

*Variation to the Scout Promise can be found in the POR.*

**The Scout Law**

1. A Scout's honour is to be trusted.
2. A Scout is loyal and obedient.
3. A Scout's duty is to be useful and to help others.
4. A Scout is a friend to all.
5. A Scout is courteous, kind and considerate.
6. A Scout is cheerful in adversity.
7. A Scout makes good use of time and avoids waste of, and damage to, property and the environment.
8. A Scout is clean in thought, word and deed.

**Il-Liġi tal-iScout**

1. L-unur ta' Scout għandu jkun afdat.
2. Scout hu/hi lejali u ubbidjenti.
3. Id-dmir ta' Scout hu li jkun ta' siwi u għajjnuna għal haddieħor.
4. Scout hu/hi ħabib/a ta' kulħadd.
5. Scout hu/hi dħuli/ja, ħanin/a u jaf/taf jagħder/tagħder.
6. Scout iżomm ruħu/ruħha rassenjat/a f'kull tiġrib.
7. Scout jagħmel/tagħmel użu tajjeb mill-ħin u ma jaħlix/taħlix jew iwettaq/twettaq ħsara fil-proprjetà u l-ambjent.
8. Scout hu/hi nadif/a fil-ħsieb, fil-kliem, u fl-għemil.

**The Cub Scout Law**

A Cub Scout always does his/her best their best  
Thinks of others before himself and themselves  
Does a good turn every day.

**Il-Liġi tal-Cubs**

Cub Scout dejjem jagħmel hiltu,/tagħmel ħilitha  
Jaħseb/taħseb għal haddieħor qabel għalih/a innifsu/nnifisha u  
Jagħmel/tagħmel xi haġa tajba kuljum.

#### **ARTICLE 4**

##### **Motto**

- 4.1 **The Motto of the Association is  
Be Prepared  
Kun Lest/Kun Lesta**

#### **ARTICLE 5**

##### **Badge**

- 5.1 The badge of the Scout Association shall be the World Scout badge (i.e. the international white arrow head surrounded by a white rope knotted at the bottom by a reef knot), superimposed on the Maltese Cross on a field of royal purple.
- 5.2 The badge as described above will be worn on the uniform and used for all official purposes, and to be used on letter heads or other printed matter and on cloth and metal badges, and shall be recognised as the official badge of the Association as illustrated in the Branding Manual and shall be used by all Scout Groups.
- 5.3 The Scout badge issued by the World Organization of the Scout Movement (i.e. the international white arrow head surrounded by a white rope knotted at the bottom by a reef knot) shall also be worn on the Scout Uniform and used where appropriate according to the regulations issued by WOSM.

#### **ARTICLE 6**

##### **Flag**

- 6.1 The flag of the Scout Association shall be as follows:  
The logo in gold on a green field, with the word *'Malta'* in gold in plain letters, placed centrally below the logo.  
If desired, a Group may have their own as specified in the Policy Organisation and Rules of the Scout Association.

#### **ARTICLE 7**

##### **Uniform & Badges**

- 7.1 The uniform and badges to be worn by all members and/or honorary members entitled to wear uniform and badges, shall be as prescribed in the Policy Organisation and Rules of the Scout Association.

#### **ARTICLE 8**

##### **External Relations**

- 8.1 The Scout Association is an independent national organisation and shall be registered with the World Organisation of the Scout Movement, having equal standing in the Worldwide Movement of Scouting with all other national Scout Associations.
- 8.2 The Association and its members shall endorse and adhere to the principles and policy of the World Scout Conference of the WOSM.
- 8.3 The Association shall to the best of its ability carry out its obligations to the World Organisation of the Scout Movement and promote friendship and co-operation with other recognised national Scout Associations of the WOSM.
- 8.4 The Association shall furthermore promote friendly relations with The Malta Girl Guides and other recognised national organisations having similar aims.



**ARTICLE 9**  
**Scout Awards**

- 9.1 The National Scout Council shall institute a system of Awards for meritorious acts of public duty and in recognition of long and outstanding service to members and non-members of the Association. The number and types of Awards and the criteria to be used in granting each Award shall be determined by the Council.

**ARTICLE 10**  
**Patron**

- 10.1 The office of the Patron of the Association shall be reserved for a person of standing in Maltese public life who shows a genuine interest in the welfare of youth and who in the opinion of the Council is a suitable person worthy of this high office.

**ARTICLE 11**  
**Method**

- 11.1 The Scout Method is a system of progressive self-education through:
- The Promise and Law.
  - Learning by doing.
  - Membership of small groups (for example the Patrol), involving, under adult guidance, progressive discovery and acceptance of responsibility and training towards self-government directed towards the development of character, and the acquisition of competence, self-reliance, dependability and capacities both to co-operate and to lead.
  - Progressive and stimulating programmes of varied activities based on the interests of the participants, including games, useful skills, and services to the community, taking place largely in an outdoor setting in contact with nature.

## CHAPTER 2

### TITLE, PURPOSE, ORGANS, AND LEGAL REPRESENTATION

#### ARTICLE 12

- |  |      |  |
|--|------|--|
| <b>Title of The Scout Movement</b>                       | 12.1 | The organisation of the Scout Movement is governed by this Constitution under the title of 'The Scout Association of Malta' also known as TSAM.  |
| <b>Purpose of The Scout Association</b>                  | 12.2 | The purpose of the Scout Association is to foster the Scout Movement throughout the Maltese Islands by:<br>(a) promoting unity and understanding of its purpose and principles,<br>(b) facilitating its expansion and development,<br>(c) maintaining its specific character   |
| <b>Organs of The Scout Association</b>                   | 12.3 | The organs of the Scout Association are:<br>(a) The General Scout Assembly, hereinafter called the General Assembly.<br>(b) The National Scout Council hereinafter called the Scout Council.<br>(c) The Executive Committee hereinafter called the Executive.<br>(d) The National Scout Youth Council hereinafter called the NSYC.   |
| <b>Legal and Judicial Representation</b>                 | 12.4 | The legal and judicial representation of The Scout Association of Malta shall vest jointly in the Chief Commissioner and the Honorary Secretary or in any other person appointed by the National Scout Council. The Chief Commissioner and the Honorary Secretary shall act on the instructions of the National Scout Council.   |
| <b>Non-involvement of minors in judicial proceedings</b> | 12.5 | No member below the age of 18 years shall be deemed to have participated either directly or indirectly, in any decision of the Association which involves or gives rise to judicial proceedings. Such members who are below the age of 18 years shall not be considered as full members but only as members and shall not hold judicial representation of the association. |

## CHAPTER 3

### MEMBERSHIP

#### ARTICLE 13

##### Requirements.

- 13.1 Membership of the Scout Association of Malta shall be voluntary and shall be open to all without distinction to gender, origin, race or creed.
- 13.2 The registration of a scout with the Association shall require:
- (a) Enrolment with the Association.
  - (b) Payment of the appropriate membership fee.
  - (c) Undertaking the acceptance of and adherence to the Promise and Law of the Association and the rules and regulations as found in The Policy Organisation and Rules.
- 13.3 There shall be kept a register containing the following details on each member: name, surname and identity card or passport number. Such register shall be kept regularly updated.

#### ARTICLE 14

##### Procedure

- 14.1 The procedure for membership, suspension and expulsion of an individual member of the Association are laid down in the Policy Organisation and Rules of the Association.

#### ARTICLE 15

##### Effect of Termination of Membership

- 15.1 A Member, who, for any reason, ceases to be a Member, shall no longer be entitled to the privileges and services of The Scout Association of Malta, to recognition by its members, and to the use of the emblems and other material associated with The Scout Association of Malta and with World Scouting.

## CHAPTER 4

### THE GENERAL ASSEMBLY

#### ARTICLE 16

##### Composition

- 16.1 The General Assembly is the governing organ of the Scout Association of Malta and is composed of the following members:
- (a) The Chief Scout as chairperson of the Assembly.
  - (b) The Chief Commissioner.
  - (c) The Honorary Secretary.
  - (d) Commissioners, Assistant Commissioners, and IHQ Auxiliaries as provided for in Article 28.
  - (e) The members of the Scout Council elected by the Assembly in terms of Article 20.
  - (f) All Appointed Scouters as defined in the POR:  
Group Scout Leaders, Assistants Group Scout Leaders, Scouters in Charge, Section Leaders, Assistant Section Leaders and Support Leaders that are currently appointed by the Association.
  - (g) The chairperson of The Scout Fellowship or his/her duly authorized representative.
  - (h) The elected members of the National Scout Youth Council as in terms of Article 30.
- 16.2 Provided that any member of the Scout Association shall be given the right to attend as observers in the visitors' gallery in order to follow the works of the Assembly.
- 16.3 Provided furthermore that persons holding more than one Appointment/office as indicated above, shall only be entitled to one vote.

## **ARTICLE 17**

### **Functions**

- 17.1 The functions of the General Assembly are:
  - 17.1.1 To consider the policy and standards of the Scout Association of Malta and to take such action as shall further the purpose of the Movement.
  - 17.1.2 To formulate the general policy of the Scout Association of Malta.
  - 17.1.3 To hold those elections as provided for in this Constitution and its Bye-Laws.
  - 17.1.4 To consider and approve or otherwise recommendations and reports presented by the Scout Council.
  - 17.1.5 To consider and approve or otherwise proposed amendments to this Constitution and its Bye-Laws as presented by the Scout Council as provided further in Articles 39 and 40 of the Constitution.
  - 17.1.6 To exercise other functions resulting from this Constitution and its Bye-Laws thereby ensuring the smooth running of the Association.
  - 17.1.7 To consider and approve or otherwise the financial budget for the year as proposed by the Executive Committee and as approved by the Scout Council.
  - 17.1.8 To appoint the Association's auditor who will hold office from the end of one General Assembly meeting to the other and be reappointed if so necessary.

## **ARTICLE 18**

### **Voting**

- 18.1 Each member on the Assembly shall have one vote, and, unless defined elsewhere in this Constitution, resolutions shall be taken by a simple majority of the Members present or represented in proxy and voting. In the event of a tie, the motion is defeated:

Provided that when decisions are taken on the approval of accounts or matters involving the role or responsibilities of the Council or of the Executive, members who are in roles defined in Article 16.1 (a-e) of this constitution shall not be entitled to vote.

- 18.2 A Member who fails to pay his/her annual membership fee up to and including the end of the fiscal year preceding the Assembly shall forfeit its right to vote at that meeting of the Assembly, unless remission or postponement of dues has received prior authorisation from the Executive Committee.
- 18.3.1 For the purpose of this article, 'a ballot' means a form of voting, including by secure electronic means but other than a show of hands, by which the votes are recorded in writing and are capable of being counted accurately.
- 18.3.2 A ballot may be demanded (before the taking of a vote by show of hands) by the Chairman of a General Assembly or by any ten members present at a General Assembly and entitled to vote. If so demanded, the ballot shall be taken in such manner, time and

place as directed by the Chairman and under the supervision of the Honorary Secretary and two observers selected by the General Assembly. The fact that a ballot has been demanded shall not prevent the continuance of the Assembly for the transaction of any business other than the question on which a ballot has been demanded. A demand for a ballot may be withdrawn by the Chairman of the General Assembly or by the ten members who demanded the ballot in the first place. The results of a ballot shall count as equivalent to a vote taken during a General Assembly. A ballot shall be considered as valid if at least a third of eligible voters cast their vote.

## **ARTICLE 19**

### **Meetings**

- 19.1 There shall be an annual meeting of the General Assembly at such time and place as the Scout Council may decide.
- 19.2 An extraordinary General Assembly may be called on the decision of the Scout Council, or at the request of a tenth of the members of the Assembly or at the request of 20 members of the Assembly, whichever is less.

### **Quorum**

- 19.3.1 The presence of one third of the Members shall constitute a quorum.
- 19.3.2 If no quorum is present half an hour after the time that the Assembly was due to commence its meeting, the Assembly will commence provided that at least one Scouter (as defined in article 16.1f) from each of at least half the groups is present. A General Assembly at which the quorum as defined in 19.3.1 is not reached may not take a vote on amendments to the Constitution, dissolution of the Association or on election of officials, but may defer such votes to a ballot. Such ballot may only be requested in the case where a quorum as defined in 19.3.1 is not present.
- 19.4 The General Assembly shall adopt its own rules of procedure.

## CHAPTER 5

### THE NATIONAL SCOUT COUNCIL

#### ARTICLE 20

##### Composition

- 20.1 The National Scout Council shall be composed of the following:
- 20.2 (a) Eight (8) members elected by the General Assembly.
- (b) The Chairperson of the Council shall be referred to as the Chief Scout, will be elected from the eight members of the council. He shall be elected by a secret ballot from the Council Members and does not necessarily have to be the candidate who obtained the highest votes during the main election.
- (c) The Chief Commissioner who shall be elected by the General Assembly by secret ballot from a list of nominees submitted by the members of the General Assembly.
- (d) The Honorary Secretary of the Scout Association who is appointed by this Council.
- (e) Two members of the National Scout Youth Council.

#### ARTICLE 21

##### Functions

- 21.1 The functions of the National Scout Council are :
- 21.1.1 To act on behalf of the General Assembly between meetings and to give effect to its decisions, strategies, recommendations and policies.
- 21.1.2 To appoint a Patron of the Scout Association of Malta.
- 21.1.3 To appoint the Honorary Secretary of the Scout Movement who is also a voting member of the Scout Council.
- 21.1.4 To review progress of the Executive Committee
- 21.1.5 To form an Awards Sub-Committee
- 21.1.6 To consider or otherwise the financial budget for the coming year. This after it being compiled by the Commissioner for Finance and approved accordingly by the Executive.
- 21.1.7 To follow and report back on any resolutions taken at the General Assembly
- 21.1.8 To submit and distribute the Annual Reports and Audited Financial Statements to the members of the General Assembly at least fourteen (14) days prior to the date set for the meeting
- 21.1.9 To represent the interest of The Scout Association of Malta in the TSAM Ltd., the LEAP (Scouts) Foundation and any other subsidiaries or segregated cell.

## **ARTICLE 22**

### **Term of Service of elected members**

- 22.1 The elected members of the National Scout Council, including the Chairperson shall hold office for three years and will be eligible for re-election for a further three year term and will be eligible for re-election or re-appointment to serve a continuous total of six years. After an absence of 3 years, retiring members will be eligible for re-election or re-appointment.
- 22.2 The Chief Commissioner shall hold office for a period of four years and will be eligible for re-election for a further four year term. After this period the retiring member will not be eligible for re-election.
- 22.3 The Elected (8) Eight Members of the National Scout Council shall hold no other appointment at National Level.  
All Commissioners, Assistant Commissioners, IHQ Auxiliaries, officers and employees of the Association or of any related or subsidiary organisation are not eligible to be members of the National Scout Council.

## **ARTICLE 23**

### **Voting**

- 23.1 Each member of the Scout Council shall have one vote.
- 23.2 Resolutions shall be taken by a simple majority of the members present and voting. In the event of a tie the Chief Scout has a casting vote.

## **ARTICLE 24**

### **Meetings & Committees**

- 24.1 The Scout Council shall meet at least four times a year at such time and place as the Council may decide.
- 24.2 The presence of six members having the right to vote shall constitute a quorum
- 24.3 The Scout Council shall adopt its own rules of procedure including voting.
- 24.4 The Scout Council may establish on a permanent or ad hoc basis such subsidiary committees other than the Executive Committee, as it deems necessary for the performance of its functions.



## CHAPTER 6

### THE EXECUTIVE COMMITTEE

#### ARTICLE 25

##### Composition

- 25.1 The Executive Committee is the executive organ of the Scout Association of Malta and its members shall consider the interests of the Movement as a whole and shall be responsible for the day to day running of the Movement in Malta.
- 25.2 The Executive Committee shall be composed of the following members:
- The Chief Commissioner
  - The Deputy Chief Commissioner
  - The Honorary Secretary
  - The Commissioner responsible for
    - a. Administration,
    - b. Finance,
    - c. International
    - d. Programme and Development
  - The District Commissioners, one for each District
  - and any other function as deemed necessary by the Chief Commissioner
  - Other Commissioners, Assistant Commissioners, IHQ Auxiliaries and IHQ Officers may be invited by the Chief Commissioner to attend any meeting of the Executive Committee if their presence is required in view of the topic or topics to be discussed.
- 25.3 The Chief Scout may attend the Executive Committee in a consultative capacity if the need arises.

#### ARTICLE 26

##### Functions

- 26.1 The functions of the Executive Committee are :
- 26.1.1 To promote the Scout Movement on a day-to-day basis by means of visits to Scout Groups, Correspondence, Training Courses and any other service as and when required.
- 26.1.2 To direct and co-ordinate the work of the National Scout Headquarters and to offer direction to the various sub-committees and working groups.
- 26.1.3 To advise and assist Scout Groups in carrying out the purpose, principles and method of Scouting.
- 26.1.4 To exercise other functions resulting from this Constitution and its Bye-laws.

#### ARTICLE 27

##### Voting

- 27.1 Each member of the Executive Committee shall have one vote.
- 27.2 Resolutions shall be taken by a simple majority of the members present and voting. In the event of a tie, the motion is defeated.

## **ARTICLE 28**

### **Departments and appointment of Commissioners**

28.1 There shall be a number of Departments as further provided for and defined in the Bye Laws and the POR for the purpose of obtaining an efficient and timely administration of the Association. Each Department shall be headed by a Commissioner who shall also be the Chairperson of the respective Sub-Committee to be formed and constituted as further provided for hereunder.

28.2 Commissioners, as Heads of Departments and as further provided for hereunder and in the POR, are appointed by the Chief Scout upon the recommendation of the Chief Commissioner and after having consulted the Scout Council. Such appointments shall be for a period of five years, renewable for further periods of five years each, unless such appointments are withdrawn before the lapse of such period by the Chief Scout at the recommendation of the Chief Commissioner. Such withdrawal of appointment may also be made at any time by the Chief Scout after consultation with the Chief Commissioner and the Scout Council. In both instances the aggrieved party shall be given the chance to present his/her case before the Scout Council. In such instances the Chief Scout and the Chief Commissioner will abstain from casting their vote.

### **International Department**

28.3 There shall be an International Department to be headed by an International Commissioner whose duties shall be those as defined in the respective Bye-Law of this Constitution.

### **Administration Department**

28.4 There shall be an Administration Department to be headed by a Commissioner for Administration whose duties shall be those as defined in the respective Bye-Law of this Constitution.

### **Finance Department**

28.5 There shall be a Finance Department to be headed by a Commissioner for Finance whose duties shall be those as defined in the respective Bye-Law of this Constitution.

### **Training and Development Department**

28.6 There shall be a Training and Development Department to be headed by a Commissioner for Programme Development whose duties shall be those as defined in the respective Bye-Law of this Constitution

## **ARTICLE 29**

### **Meetings and Sub Committees**

29.1 The Executive Committee shall meet at least eight times a year, or as the need arises, at such time and place as the Committee may decide.

29.2 The presence of five members shall constitute a quorum

29.3 The Executive Committee shall adopt its own rules of procedure.

29.4 The Executive Committee may establish on a permanent or ad hoc basis such subsidiary committees or other organs as it deems necessary for the performance of its functions.

**CHAPTER 7**  
**Group Scout Leaders Forum**

**ARTICLE 30**

**The Group Scout Leaders Forum**

- 30.1 The Group Scout Leaders Forum is the Assembly of all Group Scout Leaders for the discussion of matters relating to the Scout Association and the Groups.
- 30.2 The Forum shall forward to the Executive Committee and/or the National Scout Council suggestions and recommendations on any matters which have a direct or indirect effect on the Scout Groups.
- 30.3 The Group Scout Leaders Forum shall be held at least once a year and is composed of all appointed Group Scout Leaders and Scouters-in-Charge.
- 30.4 Any Group Scout Leader or Scouter-in-Charge who is not able to attend a meeting of the Forum can appoint a member of his Group to attend in his stead and to vote as required. Any vote taken is to be taken as representative of the majority of Group Scout Leaders.
- 30.3 Voting shall be by 'show of hands'.
- 30.4 The Group Scout Leaders Forum will be called by and be chaired by the Chief Commissioner or his representative. Notice of the meeting shall be given by the Honorary Secretary to all members at least three weeks before the date of the meeting. The Forum may also be called on the request of not less than one third of its members in order to discuss a specific topic. The Honorary Secretary must be advised three weeks in advance of the Agenda for this Forum.

## CHAPTER 8

### THE NATIONAL SCOUT YOUTH FORUM & THE NATIONAL SCOUT YOUTH COUNCIL

#### ARTICLE 31

##### Composition

- 31.1 The National Scout Youth Forum shall be composed of all the members of the Scout Association of Malta from their 14<sup>th</sup> birthday up to their 26<sup>th</sup> birthday upon which they are no longer members of the NSYF.
- 31.2 The National Scout Youth Council shall be composed of the following members:
- (a) Eleven members elected from the National Scout Youth Forum.
  - (b) The Chairperson of the Youth Council will be chosen from the eleven members of the youth council. He shall be elected by a secret ballot from the Youth Council members and does not necessarily be the candidate who obtained the highest votes during the Youth Forum election.
  - (c) The Secretary of the Youth Council is appointed by the eleven elected members.

#### ARTICLE 32

##### Functions

- 32.1 The functions of the National Scout Youth Council are :
- 32.1.1 Represent the youths within The Scout Association of Malta.
  - 32.1.2 Discuss and propose statements on priority topics that are of interest to the youth members as determined by the National Scout Youth Forum, youth surveys or otherwise.
  - 32.1.3 Discuss and propose statements on topics as requested by the National Scout Council.
  - 32.1.4 To follow progress and report back on any published statements by the Youth Council.
  - 32.1.5 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.

#### ARTICLE 33

##### Statute

- 33.1 The National Scout Youth Forum and Council are governed by its own Statute as listed in the Bye-Laws of this Constitution.

#### ARTICLE 34

##### Term of Office

- 34.1 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 re-election.

## **ARTICLE 35**

### **Voting**

- 35.1 Each elected member of the Youth Council shall have one vote.
- 35.2 The appointed secretary shall not hold a vote unless he is one of the elected members.
- 35.3 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

## **ARTICLE 36**

### **Meetings & Committees**

- 36.1 The Youth Council shall meet at least four times a year at such time and place as the council may decide.
- 36.2 The presence of six members having the right to vote shall constitute a quorum
- 36.3 The Youth Council shall adopt its own rules of procedure including voting.

## CHAPTER 9

### MISCELLANEOUS PROVISIONS

#### ARTICLE 37

##### Finance

- 37.1 The policy of the Scout Association is that Scouts should earn and not solicit money.
- 37.2 The Association depends financially on the contributions of its own members and on public support, and any activities as permitted by legislation.
- 37.3 The National Scout Council can request interim unaudited accounting reports of the Association.
- 37.4 The Accounts shall be closed and submitted for Audit by a Certified Public Accountant and Auditor at the end of each accounting year and the Commissioner for Finance shall present before the National Scout Council, the Auditors Report together with a copy of the Income and Expenditure Account together with the Balance Sheet as at the end of that year.

#### ARTICLE 38

##### Property

- 38.1 Any property of the Scout Association shall be controlled by the National Scout Council.
- 38.2 Any public deed and/or private agreement to which the Association wishes to become party to must be approved by the National Scout Council who shall appoint its legal representatives to appear for the deed or agreement.

#### ARTICLE 39

##### Amendments to the Constitution

- 39.1 This Constitution may be amended by the General Assembly with the support of at least two-thirds of the votes cast.
- 39.2 Notwithstanding the primary responsibility of the Council to review this Constitution, any member of the General Assembly may propose for consideration amendments to this Constitution. Such proposed amendments, that are to be seconded by one other member of the General Assembly, may be sent at any time in writing to the Honorary Secretary for consideration.
- 39.3 Before being presented to the General Assembly for consideration, such proposed amendments are to have been discussed by the National Scout Council which may agree or not to the proposed amendments and in either instance the Executive Committee is to give its appropriate advice to the Scout Council. When presenting such amendments to the General Assembly the Scout Council shall inform the Assembly of the advice given to it by the Executive Committee.
- 39.4 This constitution and any amendments thereto, have to be approved by the relevant bodies of WOSM before entering into force.

**ARTICLE 40**

**Bye-Laws**

- 40.1 The National Scout Council through its Executive Committee will have the power to make Bye-Laws and to vary or cancel the same, provided all such Bye-Laws are ratified by the National Scout Council and do not conflict in any respect with the Constitution.
- 40.2 Changes to the Bye-Laws shall take effect 20 days after they have been communicated by electronic means to all members of the Assembly and published in the Association’s journal; unless they are challenged by at least 20 members of the Assembly by communication in writing to the Honorary Secretary within the same time frame, in which case they would need to be approved by the General Assembly in accordance with Article 17.1.5 of the Constitution.

**ARTICLE 41**

**Emergency Provisions**

- 41.1 When an urgent decision is required in situations not provided for by this Constitution the Scout Council shall have the power to make a temporary decision at an extraordinary meeting provided such decisions be confirmed, amended or revoked by the General Assembly within three months. All such temporary decisions shall be valid and binding and their subsequent revocation or amendment shall not invalidate anything done until then.

**ARTICLE 42**

**Dissolution Clause**

- 42.1 Should the necessity arise to dissolve and terminate the Scout Association of Malta, the decision to liquidate shall be taken by the General Assembly, requiring the support of at least three fourths of the votes cast. The National Scout Council shall be then tasked with the liquidation process of the association. Any assets on termination shall be donated or distributed by the National Scout Council to another public benefit organisation with the same or similar purposes and features, or in default to any other organisation with a social or public purpose.

**ARTICLE 43**

**Registration as a Legal Person**

- 43 In adherence with the requirements set out in Article 49(4) of the Second Schedule of the Civil Code, Chapter 16 of the Laws of Malta, the current Chief Scout, Chief Commissioner and Honorary Secretary shall sign this constitution in their name and on behalf of all the present members of The Scout Association of Malta, as a demonstration of their consent to the provisions of this Constitution and all its Bye-Laws. A list of the said members of The Scout Association of Malta is being annexed and marked as ‘Schedule A’.