

# **The Association of Judges and Magistrates of Malta**

## **Statute**

### **A. Members:**

1. Any member of the judiciary may be a member of the Association.
2. The members of the judiciary whose signatures appear at the end of this statute shall be the founding members of the Association. After the founding of the association any other member of the judiciary may join the Association by letter addressed to the president of the Association.
3. Any member of the Association may, by notice in writing addressed to the president of the Association, leave the Association.
4. The Association may invite retired judges and retired magistrates to be honorary members of the Association. Honorary members may be invited by the committee to attend meetings of the Association. Honorary members will not be entitled to vote at such meetings.

### **B. Aims and Objectives:**

1. The aims and objectives of the Association shall be:
  - (a) to promote the interests of its members in their professional capacity;
  - (b) to promote the independence of the judiciary;
  - (c) to promote the highest standards of judicial conduct among its members;
  - (d) to promote the general interests of its members, including those interests arising upon retirement from the bench;
  - (e) to promote the exchange of ideas on the administration of justice;
  - (f) to further the cultural, intellectual and legal proficiency of its members;
  - (g) to promote and maintain contacts with judges and magistrates abroad, with national and international associations, and in particular national and international associations of judges and magistrates.
2. The Association shall represent its members but shall not represent the judiciary, and shall not replace the meetings of judges and magistrates convened by the Chief Justice according to law. In matters affecting the interests of an individual member, the Association shall refrain from acting if that member so requests.

C. Address:

The official address of the Association shall be the address of its president or such other address as shall be determined by the committee.

D. Committee:

1. There shall be a committee composed of two judges and two magistrates, and a president. The committee shall manage the day to day affairs of the Association.
2. When the president is a judge, the vice-president shall be a magistrate, and vice-versa.
3. The president and the four members of the committee shall be elected by the annual general meeting of the Association and shall hold office for two years. The Chief Justice shall not be eligible as president or as a member of the committee. A member shall not be eligible for the post of president for more than three consecutive terms.
4. The replacement of any member of the committee or of the president which may, for any reason, become necessary shall be decided upon by the Association in general meeting convened within a week of the vacancy occurring; such replacement shall hold office for the remaining part of the term of office of the person he is replacing.
5. The four members of the committee shall have a vote each, while the president shall only have a casting vote. In those cases where, for whatever reason, the president is not presiding when a vote is taken in committee, the vice-president shall have an original and a casting vote.

E. Membership fee:

1. There shall be a membership fee as may, from time to time, be determined at a general meeting of the Association.
2. The Association shall not raise, or attempt to raise, funds from individuals, from Government or its institutions, from public corporations or from private associations or companies.

F. Meetings:

1. A general meeting of the members of the Association shall be held:
  - (a) once every year in the month of October, and this shall be the annual general meeting;
  - (b) additionally as may be convened by the committee;
  - (c) additionally at the request of not less than one-third of its members.

2. The annual general meeting shall, *inter alia*, elect the president and the members of the committee when an election is due; it shall also consider the administrative and financial reports which the committee shall have to submit for approval. These reports shall be made available to the members of the Association at least fifteen days before the date of such meeting.
3. The president of the committee and, in his absence, the vice-president shall preside at any general meeting.
4. During general meetings each member of the Association, including the president and the vice-president, shall have a vote. Voting rights may be exercised either personally or by proxy. The person presiding at a general meeting shall not have a casting vote.
5. The quorum at a general meeting shall be one-third of the members of the Association. If there is no quorum after half an hour from the time when the meeting was scheduled to commence, the president shall adjourn the meeting to a day to be determined by him, so however that this second meeting shall be held not later than seven days from the date of the first meeting. No quorum shall be required for the second meeting. Notice in writing of the second meeting shall be given to all the members.
6. Notice in writing of the date of the annual general meeting shall be given by the committee to all the members of the Association at least thirty days before the date of the said meeting. Any item or motion to be discussed, other than items or motions submitted by the committee, shall be submitted in writing to the president not later than twenty days before the date of the annual general meeting. The committee shall, not later than fifteen days from the date of the meeting, make available to the members of the Association the agenda and all items (including nominations for elections, if any) or motions to be discussed.
7. Notice of a meeting convened pursuant to paragraphs (a) or (b) of article 1 of this chapter shall be given by the president of the committee to all the members of the Association at least fifteen days prior to the date of the meeting; but in case of urgency a meeting may be convened by the president at shorter notice.
8. At a general meeting, approval of the minutes and of the administrative and financial reports shall require a majority of the votes cast at that meeting. Other motions shall require for approval the votes of the majority of the members of the Association.
9. At least a month before the annual general meeting at which an election is due, the committee shall appoint two election commissioners from among

the members of the Association. These commissioners will be responsible for receiving nominations and conducting the elections.

10. Nominations (duly accepted by each candidate) for the post of president and for membership of the committee shall be received by the commissioners at least twenty days before the annual general meeting. Voting shall take place as follows: the president (who can be a judge or a magistrate) shall first be elected, with the candidate obtaining the most votes being declared elected. All members of the Association shall then vote for two judges and two magistrates from two separate lists, one of candidate judges and the other of candidate magistrates. The two judges and the two magistrates obtaining the highest number of votes in each list shall be declared elected.

G. Statute:

The statute of the Association may be amended at a general meeting with the votes of two-thirds of all the members of the Association.

H. Dissolution:

The Association may be dissolved at a general meeting with the votes of two-thirds of all the members of the Association. In the event of such a dissolution the assets of the Association shall be devolved to a charitable cause at the discretion of the person who last occupied the post of president.

I. Transitory Provision:

The first president and the first four members of the committee shall hold office until October 2001.

This Statute was approved by the undersigned members of the judiciary:

<b>Name</b>	<b>Signature</b>	<b>Date</b>
Agius, Carmel A.	(signed)	23/1/01
Apap Bologna, J.	(signed)	29/1/01
Arrigo, N.	(signed)	18/1/01

<b>Name</b>	<b>Signature</b>	<b>Date</b>
Camilleri, G.	(signed)	29/1/01
Camilleri, J.D.	(signed)	22/1/01
Caruana Demajo, G.	(signed)	30/1/01
Cassar, J.		
Coppini, P.	(signed)	26/1/01
Cuschieri, N.	(signed)	22/1/01
De Gaetano, V.	(signed)	17/1/01
Demicoli, S.	(signed)	22/1/01
Depasquale, A.		
Depasquale, F.	(signed)	23/1/01
Farrugia Sacco, C.	(signed)	30/1/01
Filletti, J.	(signed)	23/1/01
Grixti, G.	(signed)	22/1/01
Hayman, M.	(signed)	31/1/01
Lofaro, A.	(signed)	31/1/01

<b>Name</b>	<b>Signature</b>	<b>Date</b>
Magri, A.J.	(signed)	20/1/01
Mallia, M.	(signed)	23/1/01
Meli, S.	(signed)	19/1/01
Micallef, J.R.	(signed)	20/1/01
Micallef Trigona, A.	(signed)	31/1/01
Mizzi, A.	(signed)	22/1/01
Montebello, D.	(signed)	31/1/01
Pace, R.	(signed)	20/1/01
Padovani Grima, J.	(signed)	31/1/01
Peralta, C.	(signed)	30/1/01
Said Pullicino, J.	(signed)	17/1/01
Scerri Herrera, C.	(signed)	17/1/01
Scicluna, D.	(signed)	20/1/01
Valenzia, G.	(signed)	(?)
Vella, P.	(signed)	23/1/01