

## **Malta Chamber of Psychologists Statute of Association**

### **SECTION 1: Title, official address and language**

1.1 The name shall be Malta Chamber of Psychologists, abbreviated as MCP, hereinafter referred to as 'The Chamber'.

1.2 The official registered address shall be that of The Malta Federation of Professional Associations (MFPA), presently The Professional Centre, Sliema Road, Gzira, Malta.

1.3 The official languages of the Chamber shall be Maltese and English.

### **SECTION 2: Interpretation**

- i. The 'Appointed Date' means the date on which this Statute comes into force;
- ii. 'Council' or 'Executive Council' mean the Executive Council set up under Section 8 of this Statute;
- iii. 'Rules' mean the rules of this Chamber to be found in this Statute, and any bye-laws drawn up under this same Statute;
- iv. 'Secretary' or 'Executive Secretary' mean the Executive Secretary appointed under Section 8 of this Statute;
- v. 'Sub-committee' or 'special committee' refers to a committee set up under the auspices of the Executive Council to carry out a particular task.

### **SECTION 3: Aims and objectives**

- i) To act as a professional body for the discipline of psychology in Malta and as a representative body for psychologists practicing in Malta;
- ii) To promote the discipline of psychology and its professional application;
- iii) To strengthen the relations between members, between members and their clients as

- well as between members and the community at large;
- iv) To promote ethical behavior and good practice in the discipline of psychology in Malta;
  - v) To establish links with similar fora, unions, societies, associations and federations on the local and international scene;
  - vi) To implement the European Federation of Psychologists' Association (EFPA) directives regarding the EuroPsy including the register of professional psychologists under the EuroPsy initiative in Malta;
  - vii) To make psychology accessible to all;
  - viii) To act as a union and regulate and strengthen the relations between members and employers or employers' associations representing psychologists, psychology practitioners and psychology assistants.
  - ix) To serve as a common platform for psychologists, psychology practitioners, psychology assistants and psychology graduates working in the Maltese Islands and to promote their general welfare;
  - x) To maintain and improve the conditions of work of psychologists, psychology practitioners and psychology assistants and engage in any discussions and negotiations with the competent authorities;
  - xi) To secure possible representation on any executive or advisory body having powers to make decisions which may affect the profession of psychology;
  - xii) To mediate as an official representative with state bodies and other foreign organisations, and to cooperate with other organisations with the view of promoting the objectives of the Chamber.

#### **SECTION 4: Membership regulations**

4.1 Membership of the Chamber shall consist of Full Members, Associate Members, Affiliate

Members, and Student Members.

4.2 The Chamber distinguishes four types of memberships:

**4.2.1 TYPE I: Full membership**

Such members are in possession of an undergraduate and master's degree in psychology or are holders of the EuroPsy. The qualification of such members shall be recognized by the National Commission for Further and Higher Education (NCFHE) and/or the Malta Psychology Professions Board<sup>1</sup> ;

**4.2.2 TYPE II: Associate membership**

Persons in possession of an undergraduate degree in psychology and a post-graduate qualification at masters or postgraduate diploma level in an area related to psychology;

**4.2.3 TYPE III: Affiliate membership**

Persons in possession of an undergraduate degree in psychology, or any other discipline adjudged by the Council as being related to psychology;

**4.2.4 TYPE IV: Student membership**

Persons who are reading for an undergraduate degree in psychology.

4.3 In the case of practicing psychologists, these regulations do not constitute licensing criteria.

**SECTION 5: Admission**

5.1 Membership of this Chamber is by application and supporting documents. The Executive Council shall have the power and full discretion to accept or reject any application for membership, without having to give reasons. If the Chamber does not reply to an application within three (3) months from receipt, the applicant is to consider his/her application as having been refused.

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<sup>1</sup> membership does not entitle the member to use the title of psychologist (see Psychology Profession Act (Cap. 471.)

5.2 Each member of the Chamber shall, on being admitted to membership, pay an annual subscription in advance at the rates established by Executive Council. Such membership will cover a year from 1st October to 30th September of the following year and members will be notified of any unpaid membership fees and arrears. Members who do not pay their yearly membership will be asked to pay their membership fees in arrears each year unless resignation has been formally tendered.

#### **SECTION 6: Termination of membership**

6.1 Membership of the Chamber shall cease:

- a. By resignation, in which case three (3) months previous notice in writing through registered post shall be given to the Executive Secretary, together with payment of any unpaid membership arrears; or
- b. By exclusion or removal according to the provisions of the Statute;
- c. By failing to pay his/her membership for two consecutive years.

#### **SECTION 7: Breach of rules of the Chamber**

7.1 If a member fails to pay the subscription fee within three (3) months from when such payment falls due within the two year period (please see 6.1c), such member shall not be entitled to vote at any General Meeting; and failure to pay within six (6) months within the two year period (please see 6.1c) from the date of due payment entails the forfeiture of all rights and privileges of a member of the Chamber.

7.2 If any member knowingly commits any breach of the rules of the Chamber or knowingly declines to comply with any reasonable decision or directive of the Executive Council or of the Chamber taken in conformity with these rules, or acts in a manner which, in the opinion of the Executive Council, is prejudicial to the interests of the Chamber, such a member shall be liable

to expulsion or suspension, or to such other disciplinary measures as the Executive Council may decide and that lie within its remit to impose; subject however, to the member receiving notice in writing that he/she is being subjected to such disciplinary action and being given a minimum of ten (10) working days to either remedy his/her shortcoming, or to submit a written defence to the Council. He/she shall also be afforded a right to be heard at an Executive Council meeting called for such a purpose.

7.3 Members of the Chamber are required to abide by the professional code of conduct as laid out by the Chamber and/or the Malta Psychology Profession Board (MPPB). Failure to do so can result in suspension of membership or expulsion from this Chamber.

#### **SECTION 8: Executive council**

8.1 The Executive Council shall be made up of at least ten (10) members. Eight (8) shall be Full Members and shall serve as the following officials:

President

Vice President – Union Matters

Vice President - CPD and Academic Affairs

Executive Secretary

Treasurer

Public Relations Officer

International Affairs Officer

Malta Psychology Profession Board (MPPB) Representatives

8.2 One member shall be a Graduate Representative from the Student Membership Level

8.3 One member will be appointed by the University of Malta's Head, Department of Psychology, to represent the same Department. The member must be in full time employment at the University of Malta within the Department of Psychology, and must be well versed in

academia and in University of Malta related matters.

8.4 Other members can be co-opted to assist the Executive Council in its work. It is recommended that such members would represent different specializations of the psychology profession.

8.5 Each member of the Executive Council has a vote. Co-opted members shall have full voting rights on the Council. In case of a tie, the President shall have a casting vote in addition to his/her normal vote.

8.6 The Executive Council shall normally meet every two (2) months and at least twice a year; the first meeting will be held within a month of the Annual General Meeting.

8.7 The quorum for the Council meeting shall be of five (5) persons of Council.

8.8 A member of the Executive Council who fails to attend four (4) consecutive Council meetings without justification, may be required by the Executive Council to resign therefrom. Such a requirement is to be made in writing, allowing the member in question a minimum of ten (10) days to reply, justifying his/her position. Thereafter, the Council will meet to discuss the response (if any) and a decision will be taken. The Council must invite the Council Member in question to this sitting for an oral hearing. The Secretary will inform that member in writing about whether or not he/she is being excluded from the Executive Council. The Executive Council enjoys discretion in deciding what amounts to 'justification', and its decision is final.

8.9 Any member of the Executive Council may be removed from office on grounds of unethical behaviour or inability to carry out his/her duties, by a vote supported by no less than two-thirds of the remaining members of the Executive Council. Such a vote will be taken anonymously, after the Executive Council Member has been informed in writing of the grounds on which the Council is considering removing him/her, and is allowed a minimum of ten (10) days to reply, justifying his/her position. Thereafter, the Council will meet to discuss the response (if any) and a decision will be taken. The Council must invite the involved Council member to this sitting, for

an oral hearing. The Secretary will inform that Council Member in writing about whether or not he/she is being removed from the Executive Council. The Executive Council enjoys discretion in deciding whether or not there exist sufficient grounds for the removal of the member, and its decision is final.

8.10 Any member of the Executive Council will have to resign from the Council, if a vote of no confidence in that particular member is carried by no less than two-thirds of the fully paid-up Members of the Chamber, at an Extraordinary Meeting held for that purpose. Before the members of the Chamber vote on this motion, the member or members of the Executive Council being subjected to a vote of no confidence must be informed of the reasons for this vote, and be granted opportunity to defend themselves at the same Extraordinary General Meeting.

8.11 The Executive Council can co-opt new members to replace those excluded as per clauses 8.8, 8.9 or 8.10 or who resign from the Council. These co-opted members shall have full voting rights on the Council.

8.12 The Executive Council has full authority and discretion to engage outside professionals to assist it in its work.

## **SECTION 9: Division of duties of Executive Council**

9.1 The President shall preside at all meetings of the Executive Council. The President shall delegate tasks to the Vice-Presidents of the Chamber as directed by the Executive Council. The President shall perform duties customary to that office and such additional duties as directed by the Executive Council. The President, subject to confirmation by the Executive Council, may set up sub-committees and appoint the members of all sub-committees.

9.2 The Vice-Presidents shall perform duties in accordance with the title held. The Vice-Presidents shall jointly perform the duties of the President in his/her absence, until an Acting

President is appointed by the Council.

9.3 The Treasurer shall represent the Chamber in assuring the receipt and expenditure of funds in accordance with the directives established by the Executive Council. The Treasurer shall perform duties customary to that office and such additional duties as directed by Executive Council.

9.4 The Executive Secretary shall perform duties customary to that office and such additional duties as directed by Executive Council.

9.5 The Public Relations Officer shall perform duties concerning all public relations.

9.6 The International Affairs Officer shall perform duties concerning international relations with foreign associations with whom the Chamber will be affiliated.

9.7 The MPPB representative shall be the Chamber's Representative on the Malta Psychology Profession Board and shall perform duties which this representation entails.

## **SECTION 10: Elections**

10.1 The President and other Council members are elected to office for three (3) years, according to the procedures laid down in this section.

10.2 Two (2) months prior to the election, the Executive Council shall nominate three (3) Chamber members who have full membership (who are not members of the outgoing Executive Council) to form part of the Election Committee that oversees the election process. The Election Committee shall issue a call for election nominations without delay.

10.3 The Election Committee shall receive nominations from paid-up members in the full, associate and affiliate levels for candidates from within each respective grade level, up to one (1) month prior to the meeting so as to prepare the voting documents.

10.4 Voting for the President and for Executive Council members shall take place at a General Meeting by secret ballot. Processing of general election results shall take place during the said



General Meeting.

10.5 Eight (8) members of the Executive Council shall be elected from among those holding full membership. Another four (4) may be elected either from among those holding full or associate membership. Voting for such members shall be from the paid-up full and associate members voting together.

10.6 One (1) member shall be elected among and by the affiliate members, as their representative.

10.7 The President shall be elected from among the full and associate members of the Chamber by all full and associate members voting together.

10.8 Following election of Council President and members, during the first Executive Council meeting, the various positions on the Council shall be allocated. In other words, the President and members of the Executive Council will elect the Vice-Presidents, the Treasurer, the Executive Secretary, the Public Relations Officer, the International Affairs Officer and any other officials as the Executive Council determines.

10.9 The Council President and each Council Member will hold office for the full term stipulated in 10.1, unless any of them decides to resign or is subjected to a motion of no confidence supported by not less than 2/3 of all Chamber Members. Provided however that the Council President or Council Member against whom such a motion of no confidence is initiated, shall be given the reasons in writing for such a motion of no confidence, and shall also be afforded sufficient opportunity to defend his/her track record before the actual vote is taken.

10.10 In case of resignation or other removal of a Council Member or President, the remaining members of the Executive Council shall enjoy full discretion in deciding whether the Council will continue to function as is, that is with a missing member or members, or whether to issue a notice in terms of 10.2 to elect a replacing member or members.

## **SECTION 11: Powers and functions of the Executive Council**

The Executive Council shall:

- 11.1 Have the power to negotiate collective agreements for psychologists, psychology practitioners and psychology assistants.
- 11.2 Have the power to issue directives as deemed necessary.
- 11.3 Identify and implement both short and long-term strategies for the Chamber.
- 11.4 Formulate and execute operational policies.
- 11.5 Facilitate, guide and assist the effective functioning of the various sub-committees of the Chamber.
- 11.6 Act on reports of special committees that are accountable to the Executive Council.
- 11.7 Exercise such powers and functions as may be necessary or desirable in the best interests of the Chamber.
- 11.8 Be responsible for identifying issues and establishing priorities for the discipline of psychology.
- 11.9 The Executive Council is also empowered to, and shall also be responsible for:
  - a. Drawing up bye-laws for the better running and administration of the Chamber;
  - b. Maintaining a register of members of the Chamber, which shall be kept at the registered office of the Chamber;
  - c. In furtherance of the objectives of the Chamber, acquiring and disposing of any property, and investing the funds of the Chamber in accordance with the provisions of the Statute;
  - d. Keeping proper financial and accounting records of the Chamber, as stipulated in paragraph 12 of this Statute.

## **SECTION 12: Financial and accounting matters**

12.1 The financial year of the Chamber shall run from 1st October to 30th September.

12.2 The Executive Council, through the Treasurer, shall be responsible for keeping proper accounts, which must give an accurate, true and fair view of the state of the Chamber's financial affairs.

12.3 At least once every year the accounts of the Chamber shall be reviewed by a qualified Auditor, appointed for that purpose on an annual basis at each Annual General Meeting.

12.4 Each year the Treasurer shall prepare a financial statement duly audited and lay it before the Chamber at its Annual General Meeting.

12.5 All books and registers of the Chamber shall be kept by the Treasurer and shall be open to the inspection of any person having an interest in the Chamber.

12.6 The funds of the Chamber are to be used for the sole purpose of reaching and implementing the objectives set by the Chamber.

12.7 All transactions, mainly banking issues, must be countersigned by the Treasurer and the President.

## **SECTION 13: General meetings**

13.1 General Meetings are open to all paid-up members. Paid-up members in the affiliate and student grades will not have voting powers (with exception for the right of students to vote for their representative on the Executive Council).

13.2 The Annual General Meeting (AGM) shall be called by the Executive Council, within three (3) months from the end of the financial year, that is, in the last quarter of the calendar year, by the Executive Council. Notice of the date of all General Meetings (including the AGM) and the agenda for the same meetings, shall be sent to all members at least one (1) month prior to the proposed date of the meeting. Members will also be reminded of their right to table any

motions for discussion at the General Meeting, preferably sending them via email to the Executive Secretary for inclusion at the same meeting.

13.3 General Meetings shall be chaired by the President or, in his/her absence, by one of the Vice-Presidents. In the absence of these officials, a chairperson shall be elected from among the members present.

13.4 The quorum for all General Meetings shall be not less than one third of full and associate members. If, however, after thirty (30) minutes from the beginning of the General Meeting, one-third of the Chamber's members are not present, the voting members there present shall constitute the quorum necessary.

13.5 The Annual General Meeting shall:

- i) Elect the President and members of the Executive Council when due;
- ii) Consider and approve the Chamber's accounts;
- iii) Appoint or re-appoint the auditors for the next financial year;
- iv) Discuss and vote on motions tabled by Members;
- v) Vote on proposed revisions or amendments to this Statute;
- vi) Consider other matters designated by Executive Council.

13.6 The motions shall be carried by a simple majority of votes. In the case of a tie in votes, the chairperson of the General Meeting shall have a casting vote.

13.7 Extraordinary General Meetings may be called by the Executive Council, at the request of not less than ten of the full and associate members.

13.8 If a paid-up Member cannot attend a meeting, whether it is a General Meeting, or an Annual General Meeting, or an Extraordinary General Meeting, that Member may be represented during a meeting by a proxy who during the meeting shall have the same rights and obligations as the Member represented by him/her. The Member shall appoint a proxy by means of a written instrument, in the form prescribed by the Executive Council and distributed

with the circular giving notice of the particular meeting. The person so appointed shall deliver that absent Member's views on the forms prescribed by the Council, duly endorsed and filled beforehand by the Member who will absenteing him/her self from the meeting. A meeting cannot accept proxy certificates that are not endorsed by the absent Member or although endorsed, do not contain the specific preferences of the absent Member.

#### **SECTION 14: Amendments to the Statute**

14.1 The Statute of the Chamber may be amended if such amendment is approved by not less than two-thirds of the voting members during a General Meeting attended by at least one-third of the above-mentioned members of the Chamber. If, however, after thirty (30) minutes from the beginning of the General Meeting, one-third of the Chamber's members are not present, the voting members there present shall constitute the quorum necessary for the purpose of amending the Statute.

14.2 Every member who wishes to propose amendments to the Statute should forward such proposals to the Executive Council not later than two (2) weeks from the date of the notice calling the next General Meeting, in order that such proposals be presented at such General Meeting. Every proposed amendment shall be circulated to all members not later than one week before the date of the General Meeting.

#### **SECTION 15: Legal and judicial representation of the Chamber**

15.1 The Chamber shall be represented by the President and the Executive Secretary or any other person or persons appointed by the Executive Council for this purpose.

#### **SECTION 16: Bye-Laws**

16.1 The Chamber shall have power to draw up bye-laws to regulate its procedure. Such bye-

laws shall be drawn up by the Executive Council as per 11.9 of this Statute.

#### **SECTION 17: Sub-committees**

17.1 The Executive Council shall have the power to delegate specific tasks to a sub-committee created for such propose.

#### **SECTION 18: Dissolution, affiliation and amalgamation**

18.1 The Chamber may be dissolved at a General Meeting convened for the purpose and approved by at least seventy-five (75) percent of the paid-up voting members. If the resolution for dissolution is approved, the outgoing Executive Council shall forthwith liquidate the affairs of the Chamber. Any surplus assets after settling all debts, will go to the new organisation or will be donated to charitable causes.

18.2 Motions for amalgamation or affiliation with any other Chamber may be considered when at least two-thirds of its paid-up voting members are in accordance with this.

*Last updated: 4<sup>th</sup> January 2021*