

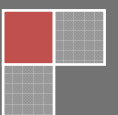


CONSTITUTION

of the
**Malta
Triathlon
Association**

As updated at the Elective General Meeting
held on Thursday, 15 December 2011

Cyprian Dalli
16 December 2011



Constitution of the Malta Triathlon Association

TITLE & PURPOSE

The Association shall be known as the Malta Triathlon Association, referred to hereafter as the “MTA” or the “Association”. The sport of triathlon shall be defined as any event combining three separate endurance activities of swimming, cycling and running and with the clock running during transitions. Triathlon events are those as defined by the International Triathlon Union (ITU) and by the European Triathlon Union (ETU).

- 1.1 Any event combining more than one discipline where the clock is kept running throughout transition, and where the disciplines concerned involve swimming, cycling or running, (such as Aquathlon and Duathlon), shall fall under the jurisdiction of the MTA.
- 1.2 The sole interpreter of the Constitution of the MTA is the Executive Committee of the MTA. Where the MTA Constitution does not specify, the Rules of the International Triathlon Union (ITU) and the European Triathlon Union (ETU) will apply.

OBJECTIVES:

The objectives of the MTA are to:

- 2.1 Encourage and promote the sport of triathlon, duathlon and aquathlon throughout the Maltese Islands.
- 2.2 Exercise complete control of the sport of triathlon in the Maltese Islands and/or any event combining two of the disciplines mentioned in para. 1.1.
- 2.3 Exercise exclusive jurisdiction over all matters pertaining to the participation of Malta in the sport of triathlon at World, European, and any other International competitions.
- 2.4 Provide and co-ordinate technical information on training, equipment, design and coaching in the sport of triathlon.
- 2.5 Encourage research development and dissemination of information in the areas of sports medicine and sports safety related to the sport of triathlon.
- 2.6 Liaise closely with the national and international governing bodies with regard to date fixing of events and other matters of common interests.
- 2.7 Take steps where necessary to protect the rights and status of athletes participating in triathlon events.
- 2.8 Publish a programme of events each year and institute national championships.

- 2.9 Prevent discrimination against an individual triathlete for reasons of nationality, race, religion, politics or sex.
- 2.10 Avoid discrimination against an individual triathlete for reasons of disability in accordance with Title 4 of the Equal Opportunities (Persons with Disability) Act (Chapter 413) – of the laws of Malta.
- 2.11 a. Implement a ranking system for all MTA members taking part in the Triathlon events organized by the MTA and/or MTA-sanctioned triathlon events. Membership is effective from the day of affiliation with the MTA. The male and female “Triathlete of the Year” is the highest ranking Maltese national.
- b. The Ranking System will be on a point basis. In each race on the MTA’s official calendar, as presented by the Executive Committee at the Annual General Meeting, 100 points will be awarded to the first MTA member (male and female) and other finishers in the race will get a lower number of points resulting on a percentage of the time achieved by that athlete as compared with that of the winner (up to a decimal point of 0.01%).
- c. In the event of a tie, the position will be determined by the positions achieved in the National Triathlon Championships.
- d. Ranking will be based by taking consideration of the maximum points from all the events as specified in the official MTA Race Calendar during that particular season.
- 2.12 The MTA shall retain all TV and other Media rights over its championships and local events.
- 2.13 Encourage the formation of triathlon clubs.
- 2.14 Encourage the spirit of Fair Play as recommended by the International Olympic Committee and European Charters.
- 2.15 Implement the principles of good governance within the MTA administration and implement an ethical code of good conduct among the participants in the sport of Triathlon in the Maltese Islands and overseas.
- 2.16 Exercise the sole rights for the use of the words ‘Malta Triathlon’ and ‘Triathlon Malta’.

3. ANNUAL GENERAL MEETING

Control of the Association shall be vested in the Annual General Meeting. Subject thereto, the day to day affairs of the Association shall be administered by the Executive Committee and the MTA Council, and its decisions shall, until renewed or varied by the Annual General Meeting, be binding on all members and officials.

- 3.1 The Annual General Meeting shall be called within ten weeks of the final season’s event for the purpose of:

- a. Receiving the Administrative Report by the President and/or the Secretary General on the past season's activities.
 - b. Receiving the Financial Report by the Treasurer for the past financial year.
 - c. Receiving amendments to the constitution, in terms of this constitution.
 - d. Receiving nominations for election to the Executive Committee when applicable in terms of this Constitution.
- 3.2 A minimum period of 21 days' notice of an Annual General Meeting shall be circulated to all members.
- 3.3 Nominations for office (if applicable), items to be discussed in the agenda and proposed amendments to the Constitution submitted by members of the Association, must be received by the General Secretary by not later than 14 days prior to the Annual General Meeting.
- 3.4 The Agenda of the Annual General Meeting, together with the Proposed Amendments and nominations (if applicable), shall be distributed to the members 7 days prior to the meeting.
- 3.5 Council members (ie Club delegates) and Members of the Association shall be entitled to vote at the Annual General Meeting,¹
- 3.6 A member of the Association, except Executive Committee Members, is a person who submits an application on the official MTA Membership Registration Form and pays the established membership fee. Membership of the MTA is effective from the date of affiliation and end on the 31st December after which membership must be renewed. On applying for a new membership, five (5) months probation period is applicable, during which period, the member enjoys all the rights as specified in the Constitution except:
- a. the right to participate and vote in the Annual General Meeting or any other Meeting proposed by the MTA;
 - b. the right to be issued with an International Race Licence, unless he/she is selected to be included in the National Team.
- 3.7 Non-members may attend the Annual General Meeting at the discretion of the Chairperson of the AGM.
- 3.8 Honorary Membership may be awarded by the MTA, as determined by the Annual General Meeting, to a member or other individuals, who have performed outstanding service or made an outstanding contribution to the development of the sport of Triathlon in the Maltese Islands. An honorary member has the same rights as a member.

¹ Executive Committee Members are ex-officio members of the Association. As regards voting the President/Chairman cannot vote except in case of a tie (undecided outcome)

- 3.9 Proposed resolutions shall be read to the Meeting before a vote is taken. A simple majority of the valid votes cast is necessary for a resolution to be carried. (50% + 1 of valid votes cast.)
- 3.10 Voting at the Annual General Meeting shall be by a show of hands and decided by a majority vote. In the case of even one request, a secret vote should be taken on any matter whatsoever. (Majority vote as per clause 3.9.)
- 3.11 An Extraordinary General Meeting may be called either by the Executive Committee or by the MTA Council or by 2/3 (two-thirds) of the registered members of the MTA, giving notice specifying the object and no other matter shall be discussed at such a meeting.

PRINCIPAL OFFICERS:

By virtue of their posts, all Executive Committee Members are “ex officio members” of the MTA.

4.1 The President

The President shall preside over the Executive Committee meetings, the MTA Council Meetings, the Annual General Meeting and any other Extraordinary General Meeting of the Association. He/she shall also call and adjourn meetings. He/she shall prepare with the Secretary General’s assistance the agenda for each meeting and keep control and order in discussion. At the Annual General Meeting, he/she must submit an administrative report. He/She shall also see that all articles of the Constitution are observed. Also, he/she shall direct and supervise the activities of the members of the Executive Committee and the MTA. The President can only cast his vote in the case of parity in all MTA meetings. The President is ex-officio member of any Board appointed by the Association.

4.2 The Secretary General

The Secretary General shall look after all forms of correspondence (whether written or in an electronic format) received by the Executive Committee. He/She must assist the President in preparing an administrative report for the Annual General Meeting. He/She shall draw up an events timetable for each season and an agenda and follow-up action for each Executive Committee meeting or a Council Meeting. He/She shall also be authorized to issue press releases and post all communications to all members of the MTA either in written form or in an electronic format.

4.3 The Treasurer

The Treasurer shall keep proper accounts of all revenue and expenses and draw up a financial report for submission at the Annual General Meeting. He/She shall also be responsible for handling and collection of funds.

4.4 Internal auditors (at least 2) shall be appointed annually at the Annual General Meeting.

4.5 Member/s

An additional member (one) will constitute the Executive Committee.

5. **Honorary President/s:**

Honorary President/s may be chosen by the Executive Committee, and Council members in recognition of outstanding service to the sport of triathlon.

6. **PATRONS:**

Patronage may be assigned in his/her term of office, or to his/her acting replacements to the Minister responsible for Sports in Malta.

7. **EXECUTIVE COMMITTEE AND COUNCIL:**

The Executive Committee shall be constituted of the three Principal Officers and 1 Member elected at the Elective General Meeting.

7.1 Each Post on the Executive committee shall be mutually exclusive.

7.2 The Executive Committee may appoint:

- A National Team Manager / Coach;
- A Medical Advisor;
- A Physiotherapist;
- A Disciplinary Board of at least two persons,
- A Race Jury whenever necessary of at least three persons preferably with competition experience;
- Any other person or persons to fulfill any particular role or duty as deemed fit by the Executive

Any persons appointed to these positions, shall have no voting rights in the MTA Executive Committee or in the MTA Council.

- 7.3 The Executive Committee Members shall hold office for a period of two years, and shall be elected at the Elective General Meeting. All members of the Executive Committee may stand for re-election on completion of their term of office.
- 7.4 The Executive Committee shall have the power to appoint a board made up of three members of the MTA to investigate any matters concerning the MTA or its activities and to make recommendations. Any member of the MTA with special qualifications relative to the business in hand may be appointed to serve on such board at the discretion of the Executive Committee. In exceptional cases, non-members may also be appointed if they may be deemed fit by the Executive Committee. For purpose of this clause, "Members" shall be as defined in Clause 3.6
- 7.5 The Executive Committee and MTA Council shall meet a minimum of once every two months for Executive Committee or MTA Council business. Such meetings or business can also be conducted on-line in an electronic form provided such proceedings are duly recorded and included in the MTA Committee/ Council Minutes.
- 7.6 Any position on the Executive Committee vacated for whatever reason may be filled until the next Annual General Meeting by another delegate co-opted by the Executive Committee.
- 7.7 When a member is elected to the MTA Executive Committee, he/she has to relinquish any connection or membership with any local Triathlon Club, or a Sports Club which embraces Triathlon, within one month from being appointed to the Executive Committee.
- 7.8 The MTA Council is constituted of the Executive Committee and one delegate from each Triathlon Club or Sports Club that has a Triathlon Section and is duly affiliated to the Association.
- 7.9 The Executive Committee has the right to call a Meeting without involving the Council Members.
- 7.10 The President and Members of the MTA Executive Committee are obliged attend meetings and to maintain relationships with the Maltese Olympic Committee (MOC), the Kunsill Malti għall-iSport (KMS) and with other national and international sports authorities and entities.

8. ADMINISTRATION

The Executive Committee shall be authorized to enter into such financial agreements, on behalf of the Association as are necessary to ensure the efficient management of the Association's administrative business, subject to any such agreements being ratified by the Annual General Meeting.

9. MEMBERSHIP

- 9.1 Honorary Membership may be awarded by the MTA, as determined by the Annual General Meeting, to a member or other individuals, who have performed outstanding service or made an outstanding contribution to the development of the sport of triathlon. An honorary member has the same rights as an individual member.

10. FINANCE

- 10.1 The MTA has the status of a non-profit making organization. However, it has the right to raise funds, sponsorships, to charge registration fees, race participation fees, and to carry out financial transactions, such as holding saving accounts, a current account and raise loans, relevant to its operations.
- 10.2 The Financial Year of the Association shall close on the 30th of November of each year.
- 10.3 All financial transactions of the MTA are to carry the signatures of the President and the Treasurer.
- 10.4 Expenses and payments incurring a sum of greater than €500.00 shall have to be approved by the Executive Committee.

11. COMPETITION REGULATIONS

The MTA competition regulations are indicated in Appendix A, herewith attached. Where these regulations do not specify, the relative ITU / ETU Regulations shall apply. Amendments to these competition regulations can be enforced by the Executive Committee as circumstances demand. Revised Competition Regulations are to be circulated to all members.

12. DOPING

- 12.1 The MTA recognizes and complies with the anti-doping regulations as specified by the World Anti-Doping Agency (WADA).

13. CLUBS

- 13.1 A Triathlon Club or a Sports Club that embraces 'triathlon' or 'duathlon' or 'aquathlon' events in its Statute and participates or intends to participate in the events organized or sanctioned by the MTA, can be affiliated to the MTA upon simple application together with the latest copy of the Club's Statute and a list of the Club Officials, including its Council Members. The Club Membership shall be approved at the AGM. Approval is by a simple majority. A Council Member shall be proposed by his/her Club and approved at a Meeting of the MTA Executive Committee. This Club Representative will have equal votingrights as the elected members of the MTA.
- 13.2 Club membership is valid for a period of one season, after which members may transfer clubs during a specified free transfer period which shall be between the 1st of November and the 31st of December of each year.
- 13.3 Clubs have to apply to the MTA for permission to sanction their own events. These events are the ones specified in Clause 2.8 above.

14. COMPLIANCE WITH ITU / ETU CONSTITUTIONS

The Malta Triathlon Association will comply with all requirements of the International Triathlon Union (ITU) AND European Triathlon Union Constitutions including but not limited to:

- a. Refer to the Court of Arbitration for Sport (Lausanne) any disputes which may arise between the Malta Triathlon Association and the ITU/ETU;
- b. Refer to the Court of Arbitration for Sport (Lausanne) all matters related to anti-Doping Control;
- c. Comply to all other matters as outlined in the ITU /ETU Constitutions.

15. UNRESOLVED DISPUTES

In the case of a dispute between the Malta Triathlon Association and a member club, an individual member, or an athlete, both registered and not registered to the said Association, which dispute could not be resolved through the proper procedures as prescribed in this Statute, the dispute shall be submitted to an arbitration panel appointed either by the Kunsill Malti Għall-Isport or the Maltese Olympic Committee, upon a written request submitted by the Association. Decisions taken by the said arbitration panel shall be final, binding

on all parties concerned, and without the right of appeal. Furthermore, recourse to any court of justice shall be strictly prohibited.

Approved on Tuesday 14th December 2004 during the Annual General Meeting held at the Cottonera Sports Complex, Cottonera.

Amendments approved on Tuesday 9th December 2008 during the Annual General Meeting held at the Razzett tal-Hbiberija, M'Scala.

(Added: Item 2.10 & Revised Item 15)

Amendment approved on Wednesday 2nd December 2009 during the Annual General Meeting held at the B'Kara Local Council.

(Amendment : Clause 13 Clubs)

Amendments approved on Thursday 15th December 2011 during the Elective General Meeting held at the Mġarr Local Council Offices on Thursday 15th December 2011.

(various)
