



Malta FA Public Consultation on Statute Reform

1) BACKGROUND

The Malta FA is in the process of revising its statute as part of a series of governance reforms that it has been undertaking as outlined in its newly launched strategy. The aim of this statute revision is to improve its decision-making processes in order to better comply with the UEFA Good Governance principles and FIFA's minimum standards as highlighted in their official correspondence dated 1st April 2021 (refer to Documents section).

2) DOCUMENTS

Official Letter of endorsement by UEFA and FIFA (Annex A)

3) SUBMISSION OF FEEDBACK

The public is invited to make submissions with their comments in relation to the revisions outlined in the new statute draft. The sharing of ideas on improving the governance of the Association and the relationship with its members is encouraged.

Feedback must be submitted by email to reforms@mfa.com.mt by the 9th of May 2021 at the latest.

4) FURTHER NOTES

Please be informed that comments submitted, together with the identity of the contributor, may be published online at the end of the public consultation, unless the contributor objects to the publication of his/her personal data. In this case, the contribution may be published in anonymous form.

CONSULTATION BRIEF

Start date: 9th April 2021

Closing date: 9th May 2021

Title of Public consultation: Malta FA Statute Reform

Background

Thanks to coherent and credible governance, the Malta FA needs to offer and attract better opportunities that guarantee sustainability and efficiency in the footballing sector based on good practices, improved standards and financial stability. This will be achieved through a set of recently-launched reforms (such as the adoption of a new strategy and Code of ethics) which, in its totality, is expected to take 30 months. This aligns with UEFA's efforts in promoting good governance across its 55 member nations and is a key priority for UEFA, as set out in their strategic plan "Together for the Future of Football" for the period 2019–24. FIFA also promotes good governance amongst all members.

UEFA's 10 principles of Good Governance include:

1. Clear strategy
2. Statutes
3. Stakeholder involvement
4. Promotion of ethical values and integrity
5. Professionalism of committee structures
6. Administration
7. Accountability
8. Transparency in financial matters and corporate documents
9. Compliance
10. Volunteer programmes

A Statute Reform Committee has been created by the Malta FA in January 2020, responsible for revising and modernising the Association's Statute and decision-making processes. This included investigating the current composition of the Council, Annual General Meetings and Executive Committee and proposing alternative ways in which these can be set up. The voting powers were also reviewed, and relevant changes will be presented by May 2021, following a wide consultation process with all stakeholders involved.

The Malta FA is conducting this process hand in hand with both UEFA and FIFA.

Targeted Tangible Objectives by the Malta FA

- Term and/or age limit for President and Executive Committee/Board members
- Checks and balances system to be in place
- Balanced gender representation on the Executive Committee/Board - Clear separation of powers (e.g. legislative/executive, executive/administrative and independent judicial bodies)
- Statutory definition of members' rights and obligations in line with FIFA/UEFA standards
- Clear indication of responsibilities and decision-making bodies
- Provisions related to ethics
- Democratic process with free election
- Stakeholder consultation
- Regular general assemblies
- Definition of roles and powers of the President, Executive Committee/Board and administrative body
- Clear rules on congress authority, agenda, elections, decision-making and minutes in line with FIFA/UEFA standards
- Removal of Bureau and Council

Composition of General Assembly (GA)

The General Assembly will be comprised of 70 members that represent all levels of football from grassroots to elite. Premier League (14), Challenge League (16), national amateur league (23), recreational (8) and other (9). It is foreseen that the General Assembly will be convened on a quarterly basis in March, July & November. March GA is the elective assembly. Extraordinary General Assembly to be convened upon request by at least 50% +1 of the members or upon resolution by Exec Board. Financial Year shall be determined on a calendar basis.

One member One vote

Voting powers relate to Member and not to natural persons. New voting rights afforded to Women's representatives and Players' representatives (one vote each). Executive Board members are not eligible to vote during the General Assembly.

Competence

When it comes to the key competences of the GA, this will be deemed as the supreme legislative body, approve administrative reporting and financial statements, review EXCO decisions, admit/remove members and determine *force majeure* situations. It will also have the power to elect officers and members of the executive board and appoint statutory committees/ positions such as the Chief Arbitrator.

General Assembly: Appointment of Committees

There will be a series of committees reporting back to the GA on a regular basis; the first is the Ethics and Compliance committee entrusted to investigate ethics complaints and if the case merits further investigation refers the case to Disciplinary committee. The Ethics and Compliance Committee will also undertake fit and proper testing for officials within jurisdiction. The second is the Electoral Committee, which will be composed of independent nominees. All decisions/ resolutions of the Electoral committee are subject to review by the GA, if it is shown that there has been a grave a serious breach. The third committee will be that of External Auditors, a reputable independent firm appointed by the GA. The latter shall appoint any other committee which it deems fit and opportune.

Finally, the GA will have the ultimate decision over composition and members of the Committees above. All members will be appointed for a period of two (2) years initially, with security of tenure, and maybe re-appointed.

Composition of the Executive Board

The Executive Board will be composed of 24 members that have a total of 23 votes; comprising of clubs (12 votes), associations (4 votes) and interest groups (4 votes) and MFA officials (4 votes). Professional, semi-pro and amateur football clubs' representatives will be nominated by their respective forum. Member Associations will include Futsal & Beach Soccer, Gozo Football & 2 other representatives. Interests Group cohort will encompass women's football, coaches, players', and youth football representatives. The President shall have a casting vote. Executive Board Members (other than MFA Officials) are elected for a period of two years.

In relation to competences of the Executive Board it is envisaged that budget, infrastructure, regulations (other than statutory), the appointment of General Secretary /treasurer, strategic direction and overall control and management will all fall under its remit.

Timeline

Targets:

- **Jan 2020:** Establishment of Statute Reform Committee
- **27th April 2020:** First meeting with FIFA & UEFA reps.
- **May 2020:** FIFA sent their 'model statute' to serve as a basis for the drafting of our new statute. UEFA sent their desirable minimum requirements and Good Governance Principles.
- **Oct 2020 – Feb 2021:** Preliminary consultation with FIFA/ UEFA and other stakeholders
- **April – May 2021:** Public Consultation period
- **June 2021:** Present statute revisions to EXCO and Council for approval.
- **July 2021:** AGM approves new statute
- **Season 2021/2022:** New Statute comes into force

5) Annex

A. Official Letter of endorsement by UEFA and FIFA



Malta Football Association
Mr. Bjorn Vassallo
President

1 April 2021

Malta Football Association Statutes reform

Dear President,

We refer to the ongoing statutes reform process of the Malta Football Association (MFA). In this context, FIFA and UEFA would like to commend the MFA for this timely and important initiative to strengthen its governance. Both FIFA and UEFA have been closely involved in the elaboration of the proposed reforms.

We understand that the current reform proposals, which foresee wide-ranging and important changes at all levels of the MFA's organisational structure, have been the result of an inclusive consultation process involving the Maltese football stakeholders and that further public consultations are still to be held.

While the proposed new statutes still need to be drafted by the MFA and, eventually, assessed by FIFA and UEFA, we can confirm that the general reform principles as presented by the MFA at a joint meeting on 22 March 2021 are in line with FIFA and UEFA requirements and are supported by both our institutions.

We remain at your disposal for any further assistance needed in this important process, which is planned to culminate in the adoption of new MFA Statutes at an Extraordinary General Meeting in July 2021.

Yours sincerely,

FIFA



Kenny Jean-Marie
Chief Member Associations Officer

UEFA



Zoran Laković
Director of National Associations