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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Liġi mressaq mill-Onorevoli Louis Galea, M.P., Ministru tal-Politika Soċjali, u moqri għall-Ewwel darba fis-Seduta tat-28 ta' Ottubru, 1991.

ATT biex jipprovdi għall-għarfien tas-Soċjetà Maltija tar-Red Cross u għal materji li għandhom x'jaqsmu ma' dan.

RICHARD J. CAUCHI
Skriivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable Louis Galea, M.P., Minister for Social Policy, and read for the First time at the Sitting of the 28th October, 1991.

AN ACT to make provision for the recognition of the Malta Red Cross Society and for matters connected therewith.

RICHARD J. CAUCHI
Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex jipprovdi għall-għarfien tas-Socjetà Maltija tar-Red Cross u għal materji li għandhom x'jaqsmu ma' dan.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'liġi dan li ġej:—

1. Dan l-Att jista' jissejjah l-Att ta' l-1991 dwar is-Socjetà Maltija tar-Red Cross, u għandu jibda jsehh f'dik id-data li l-Ministru responsabbli għas-saħħa jista' jstabbilixxi b'avviż fil-Gazzetta.

Titolu
fil-qosor.

2. Is-Socjetà Maltija tar-Red Cross (hawnhekk iżjed 'il quddiem f'dan l-Att imsejha s-Socjetà) li l-istatut tagħha huwa riprodott fl-Ewwel Skeda li tinsab ma' dan l-Att hija soċjetà ta' għajnuna volontarja indipendenti mill-awtoritajiet pubbliċi u awżiljarja għall-istess awtoritajiet fil-qasam umanitarju fuq il-bażi ta' l-Ewwel Konvenzjoni ta' Ġinevra tat-12 ta' Awissu, 1949 għall-Amiljorament tal-Kondizzjoni tal-Feruti u l-Morda ta' Forzi Armati fil-Kamp tal-Gwerra.

Is-Socjetà
Maltija
tar-Red Cross.

3. Is-Socjetà għandha tkun awtonoma u għandha taderixxi mar-regoli u l-prinċipji tal-Moviment Internazzjonali tar-Red Cross u Red Crescent.

Is-Socjetà
u l-Moviment
Internazzjonali
tar-Red Cross
u Red Crescent.

4. (1) Is-Socjetà jkollha d-dritt f'konformità mal-konvenzjonijiet elenkati fit-Tieni Skeda li tinsab ma' dan l-Att (hawnhekk iżjed 'il quddiem imsejha l-konvenzjonijiet elenkati) li tuża l-emblema tar-Red Cross fuq sfond abjad iffurmata bil-qlib tal-kuluri tal-Konfederazzjoni Svizzera.

Użu ta' l-Emblema
tar-Red Cross.

(2) (a) Ebda persuna hlief is-Socjeta' jew kull persuna oħra awtorizzata bis-sahħa tad-dispożizzjonijiet tal-konvenzjonijiet elenkati ma tista' tuża għal xi skop ikun li jkun l-emblema tar-Red Cross, tar-Red Crescent jew xi emblema distintiva kif hemm imsemmija fl-Artikolu 38 tal-Konvenzjoni ta' Ġinevra tat-12 ta' Awissu, 1949, għall-Amiljorament tal-Kondizzjoni tal-Feruti u l-Morda ta' Forzi Armati fil-Kamp tal-Gwerra, kull imitazzjoni tagħhom li tista' tqarra, jew il-kliem "Red Cross" jew "Red Crescent".

(b) Kull min jikser id-dispożizzjonijiet tal-paragrafu (a) ta' dan is-subartikolu jkun hati ta' reat u jehel meta jinsab hati multa ta' mhux iżjed minn hames mitt lira Maltija.

(3) Is-Socjeta' bi ftehim mal-Ministru responsabbli għas-sahħa tista' b'regolamenti li jiġu ppubblikati fil-Gazzetta tagħmel provvedimenti ġeneralment biex jirregolaw l-użu ta' l-emblemi u l-kliem imsemmijin fis-subartikolu (2) ta' dan l-artikolu, u kull użu ta' dawk l-emblemi jew kliem f'konformità ma' kull regolamenti magħmula skond is-subartikolu ma jitqiesx li jkun użu b'kontravvenzjoni tas-subartikolu (2) ta' dan l-artikolu.

Emendi
għall-Istatut
tas-Socjeta'.

5. L-Istatut tas-Socjeta' kif muri fl-Ewwel Skeda li tinsab ma' dan l-Att jista' bla hsara għall-artikolu 3 ta' dan l-Att jiġi emendat jew sostitwit skond ir-regoli mnizzla fl-imsemmi statut.

L-EWWEL SKEDA

(Artikoli 2 u 5)

STATUT TAS-SOĊJETÀ MALTIJA TAR-RED CROSS

KAPITOLU I

Dispożizzjonijiet Ġenerali

ARTIKOLU 1

Kostituzzjoni

Is-Socjeta' Maltija tar-Red Cross twaqqfet fl-24 ta' Ottubru, 1991. Il-kostituzzjoni tagħha hija bbażata fuq il-Konvenzjoni ta' Ġinevra, li fiha Malta hija Parti, u fuq il-Prinċipji Fondamentali tal-Moviment, jiġifieri:

UMANITÀ

Il-Moviment Internazzjonali tar-Red Cross u Red Crescent, li nholoq mix-xewqa li tingieb għajnuna mingħajr diskriminazzjoni lill-feruti fuq il-kamp tal-gwerra, jirsisti, fil-kapaċità internazzjonali u nazzjonali tiegħu,

biex jipprevjeni u jtaffi t-tbatija tal-bniedem kull fejn din tista' tinsab. L-iskop tiegħu huwa li jipprotegi l-hajja u s-sahha tal-bniedem u li jassigura rispettt għall-bniedem. Huwa jgħib 'il quddiem ftehim reċiproku, hbiberija, koperazzjoni u paċi dejjiema fost il-popli.

IMPARZJALITÀ

Huwa ma jagħmel ebda diskriminazzjoni f'dawk li huma nazzjonalità, razza, twemmin reliġjuż, klassi jew fehmiet politiċi. Huwa jirsisti biex jissolleva t-tbatija ta' individwi waqt li jkun gwidat biss mill-bżonnijiet tagħhom, u biex jagħti prijorità lill-każi ta' tbatija l-aktar urġenti.

NEWTRALITÀ

Sabiex ikompli jgawdi l-fiduċja ta' kulhadd, il-Moviment ma jistax jappoġġa lil xi naħa f'ostilitajiet jew jiehu parti f'kontroversji ta' natura politika, razzjali, reliġjuża jew ideoloġika.

INDIPENDENZA

Il-Moviment huwa indipendenti. Is-Socjetajiet Nazzjonali waqt li huma awżiljarji fis-servizzi umanitarji tal-gvernijiet tagħhom u suġġetti għall-liġijiet tal-pajjiżi rispettivi tagħhom, għandhom dejjem jibqgħu jżommu l-awtonomija tagħhom sabiex huma jkunu jistgħu f'kull żmien jagħixxu skond il-prinċipji tal-Moviment.

SERVIZZ VOLONTARJU

Il-Moviment huwa moviment volontarju ta' solliev li ma hu b'ebda mod ispirat minn skop ta' qliegh.

UNITÀ

Jista' jkun hemm biss Socjetà waħda tar-Red Cross jew waħda tar-Red Crescent f'xi pajjiż wiehed. Din għandha tkun miftuħa għal kulhadd. Hija għandha tmexxi x-xogħol umanitarju tagħha mat-territorju kollu tagħha.

UNIVERSALITÀ

Il-Moviment Internazzjonali tar-Red Cross u Red Crescent, li fih is-socjetajiet kollha għandhom status ugwali u jaqsmu responsabbilitajiet u dmirijiet ugwali f'li jgħinu lil xulxin, huwa universali.

ARTIKOLU 2

Karattru Nazzjonali u Internazzjonali

Is-Socjetà Maltija tar-Red Cross għandha fittex għarfien uffiċjali mill-Gvern bhala socjetà volontarja ta' solliev, awżiljarja għall-awtoritajiet pubbliċi, u partikolarment għas-Servizzi Mediċi tal-Forzi Armati skond id-dispożizzjonijiet ta' l-Ewwel Konvenzjoni ta' Ġinevra, u bhala l-unika Socjetà Nazzjonali tar-Red Cross li tista' tesegwixxi l-attivitajiet tagħha fit-territorju Malti.

B'relazzjoni għall-awtoritajiet pubbliċi, is-Socjetà Maltija tar-Red Cross tibqa' iżzomm awtonomija li tippermettilha taġixxi f'kull żmien skond il-Prinċipji Fondamentali tal-Moviment.

Is-Socjetà Maltija tar-Red Cross ghandha tfittex gharfien mill-Kumitat Internazzjonali tar-Red Cross u tfittex li tkun parti mill-Moviment Internazzjonali tar-Red Cross u Red Crescent. Hija ghandha tfittex shubija fil-Lega tas-Socjetajiet tar-Red Cross u tar-Red Crescent.

Is-Socjetà Maltija tar-Red Cross tkun assoċjazzjoni legalment kostitwita. Hija tkun tipposjedi status legali. Iż-żmien ta' eżistenza taghha mhux limitat. L-uffiċċji prinċipali taghha jkunu fil-Belt Valletta.

ARTIKOLU 3

Struttura

Is-Socjetà Maltija tar-Red Cross tikkomprendi organizzazzjoni ċentrali, li tkun tikkonsisti f'Assemblea Ġenerali u Kumitat ta' Tmexxija.

ARTIKOLU 4

Emblema

Is-Socjetà Maltija tar-Red Cross ghandha bhala emblema s-sinjal araldiku tas-salib ahmar fuq sfond abjad skond il-Konvenzjonijiet ta' Ġinevra u l-ligi nazzjonali għall-finijiet kollha preveduti mill-Konferenza Internazzjonali tar-Red Cross u Red Crescent.

KAPITOLU II

Għan

ARTIKOLU 5

Għan Ġenerali u Skopijiet Prinċipali

L-għan ġenerali tas-Socjetà Maltija tar-Red Cross huwa li tipprevjeni u ttaffi t-tbatija b'imparzjalità kompleta, waqt li ma tagħmel ebda diskriminazzjoni f'dawk li huma nazzjonalità, razza, sess, twemmin reliġjuż, klassi jew fehmiet politiċi.

Għal dan il-fini x-xogħol taghha huwa partikolarment:

(1) li taġixxi fil-każ ta' konflitt armat, u fil-paċi tipprepara li taġixxi fl-oqsma kollha koperti mill-Konvenzjonijiet ta' Ġinevra u f'għieh il-vittmi kollha tal-gwerra, kemm pajżana kif ukoll militari.

(2) li tikkontribwixxi għat-titjib tas-saħħa, il-prevenzjoni tal-mard u l-mitigazzjoni tat-tbatija bi programmi ta' tahriġ u servizzi għall-benefiċċju tal-komunità adattati għall-htigiet u ċirkostanzi nazzjonali u lokali.

(3) li torganizza, fil-limiti tal-pjan nazzjonali, servizzi ta' emerġenza ta' solliev għall-vittmi ta' diżastri, ikunu kif ikunu kaġunati.

(4) li tirrekluta, tharreg u tassenja dak il-persunal li jkun mehtieg ghat-twettiq tar-responsabbilitajiet taghha.

(5) li tippromwovi l-partecipazzjoni tat-tfal u z-zghazagh fix-xoghol tar-Red Cross.

(6) li tippropaga l-Principji Fondamentali tal-Moviment u dawk tal-Ligi Umanitarja Nazzjonali sabiex tizviluppa fost il-popolazzjoni, u b'mod partikolari fost it-tfal u z-zghazagh, l-idejali tal-paci, rispettu u ftehim reciprocii fost il-bnedmin kollha u l-popli kollha.

KAPITOLU III

Membri

ARTIKOLU 6

Shubija fis-Socjeta

Is-shubija fis-Socjeta Maltija tar-Red Cross hija miftuha ghal kulhadd bla ebda diskriminazzjoni bbazata fuq sess, klassi, religjon jew fehmiel politici.

Hemm membri attivi, abbonati u onorarji.

ARTIKOLU 7

Membri Attivi

Membri attivi huma dawk il-persuni li jkunu ftehmli li jaghtu servizz lis-Socjeta Maltija tar-Red Cross u li jkunu registrati bhala tali mill-Kumitat ta' Tmexxija.

ARTIKOLU 8

Membri li jhallsu

Membri li jhallsu huma dawk il-persuni li jhallsu s-sottoskrizzjoni annwali stabbilita mill-Assemblea Generali.

ARTIKOLU 9

Membri Onorarji

Membri Onorarji huma dawk il-persuni li jkunu gew hekk mahtura mill-Kumitat ta' Tmexxija biex jonorahom ghal servizzi eccezzjonali ghas-Socjeta.

ARTIKOLU 10

Telfien ta' l-iStatus ta' Membru

Kull membru jista' jinnotifika r-rizenja tieghu bil-miktub f'kull żmien. L-ishubija bi hlas tiskadi awtomatikament wara tnax-il xahar kemm-il darba s-sottoskrizzjoni ma tiġix imġedda.

KAPITOLU IV

Assemblea Ġenerali

ARTIKOLU 11

Kompożizzjoni

L-Assemblea Ġenerali tirrappreżenta s-Socjetà Maltija tar-Red Cross kollha kemm hi. Hija komposta mill-membri tal-Kumitat tat-Tmexxija, mill-membri attivi u mill-membri abbonati (Artikoli 7 u 8).

ARTIKOLU 12

Setgħat

L-Assemblea Ġenerali hija l-ghola awtorità tas-Socjetà Maltija tar-Red Cross.

Hija telegġi l-membri tal-Kumitat tat-Tmexxija.

Hija tapprova r-rapport annwali.

Hija tivvota l-*budget* sottomess mill-Kumitat ta' Tmexxija u tapprova l-kontijiet tas-sena finanzjarja li tkun għaddiet.

Hija tiffissa l-ammont tas-sottoskrizzjonijiet.

Hija tapprova emendi magħmula għall-Istatuti f'konformità mad-dispożizzjonijiet rilevanti.

Hija tiddiskuti l-hwejjeġ kollha mdahhla fl-aġenda finali li hija tkun adottat.

ARTIKOLU 13

Sessjonijiet

L-Assemblea Ġenerali tiltaqa' kull sena f'sessjoni ordinarja, fi żmien u post stabbiliti mill-Assemblea Ġenerali ta' qabel, jew mill-Kumitat ta' Tmexxija li jaġixxi taht l-awtorità delegata lilu mill-Assemblea Ġenerali. Hija tiltaqa' f'sessjoni straordinarja fuq l-inizjattiva tal-Kumitat ta' Tmexxija jew fuq it-talba ta' kwint tal-membri ta' l-Assemblea Ġenerali.

ARTIKOLU 14

Proċedura

L-Assemblea Ġenerali hija presjeduta mill-President tas-Socjeta Maltija tar-Red Cross.

Ghajr fejn huwa provdut xort'ohra f'dawn l-Istatuti, l-Assemblea Ġenerali tiehu d-deċiżjonijiet kollha taghha bi *quorum* ta' nofs il-membri taghha u maġġoranza ta' dawk prezenti u li jivvotaw.

Kull wiehed mill-membri taghha ghandu vot wiehed.

KAPITOLU V

Kumitat ta' Tmexxija

ARTIKOLU 15

Kompożizzjoni

Is-Socjeta Maltija tar-Red Cross hija kontrollata u amministrata minn Kumitat ta' Tmexxija kompost minn:

(a) sitt membri eletti mill-Assemblea Ġenerali, ghal perijodu ta' sentejn, li tlieta minn dawn ghandhom jirtiraw u jigu sostitwiti f'kull Assemblea Ġenerali;

(b) mhux aktar minn tliet personalitajiet distinti maghzula mill-membri eletti jew mill-Kumitat ta' Tmexxija minhabba fil-kwalifiki speċjali taghhom jew minhabba fl-interess taghhom fir-Red Cross.

Iż-żmien tal-kariga tal-membri tal-Kumitat ta' Tmexxija huwa sentejn. Dan iż-żmien jista' jiġi mġedded.

ARTIKOLU 16

Setgħat

Bla hsara għad-dispożizzjonijiet ta' l-artikoli 19 u 22 u fil-kwadru tad-deċiżjonijiet u d-direttiva ġenerali adottata mill-Assemblea Ġenerali, il-Kumitat ta' Tmexxija huwa vestit bis-setgħat kollha meħtieġa għat-twettiq ta' l-għanijiet tas-Socjeta Maltija tar-Red Cross.

Huwa jeleggi jew jipprovdi għall-elezzjoni tal-President, tal-Viċi-President(i), tat-Teżorier u tal-Kummissjoni Finanzjarja.

Huwa jahtar id-Direttur Ġenerali u jiftiehem il-kondizzjonijiet tal-kariga.

Huwa jiformula, japprova jew jemenda r-regolamenti kollha li huma mehtieġa biex jaghtu effett lill-Istatut preżenti.

Huwa jwaqqaf il-kumitati jew kummissjonijiet li huwa jqis desiderabbli jew mehtieġa għat-twettiq ta' dan ix-xogħol.

ARTIKOLU 17

Sessjonijiet

Il-Kumitat ta' Tmexxija jiltaqa' f'sessjoni ordinarja kull tliet xhur.

Sessjonijiet straordinarji tal-Kumitat ta' Tmexxija jsiru fuq l-inizjattiva tal-President jew fuq it-talba ta' terz tal-membri tiegħu.

ARTIKOLU 18

Proċedura

Il-Kumitat ta' Tmexxija huwa presedut mill-President tas-Socjeta' Maltija tar-Red Cross.

Il-Kumitat jiehu d-deċiżjonijiet tiegħu kollha bi *quorum* ta' nofs il-membri tiegħu u b'maġġoranza ta' dawk preżenti u li jivvotaw. Kull wiehed mill-membri tiegħu għandu vot wiehed.

KAPITOLU VI

Kumitat ta' Tmexxija

ARTIKOLU 19

Funzjonijiet tal-President

Il-President jassigura s-sorveljanza ġenerali ta' l-amministrazzjoni tas-Socjeta' Maltija tar-Red Cross u l-esekuzzjoni tad-deċiżjonijiet meħuda mill-kumitati u kummissjonijiet tagħha. Il-President jista' jiehu l-miżuri urġenti kollha fl-intervall bejn is-sessjonijiet tagħhom jew meta jkun impossibbli għalihom li jiltaqgħu minhabba f'ċirkostanzi eċċezzjonali; huwa hu responsabbli li jagħti kont ta' miżuri tali fil-laqgħa li tkun tmiss tal-kumitati in kwistjoni.

Jekk il-President ma jkunx jista' jaqdi l-funzjonijiet tiegħu, il-post tiegħu jittiehed minn wiehed mill-Viċi-Presidenti jew mid-Direttur Ġenerali.

ARTIKOLU 20

Direttur Ġenerali

Id-Direttur Ġenerali jinhatar mill-Kumitat ta' Tmexxija fuq dawk il-kondizzjonijiet li jistgħu jiġu miftiehma reċiprokament.

Id-Direttur Ġenerali huwa l-Uffiċjal Eżekuttiv Prinċipali tas-Socjetà Maltija tar-Red Cross u huwa responsabbli għall-implimentar tal-*policy* ġenerali u d-direttivi stipulati mill-Kumitat ta' Tmexxija; huwa u segretarju *ex officio* tal-Kumitat ta' Tmexxija, u l-kummissjonijiet l-oħra kollha.

KAPITOLU VII

Dispożizzjonijiet Finanzjarji

ARTIKOLU 21

Riżorsi Finanzjarji

Fil-limiti stabbiliti mill-għan tagħha, is-Socjetà Maltija tar-Red Cross takkwista, tipposjedi, taljena u tamministra kull proprjetà skond kif ikun meqjus xieraq.

Hija tista' taċċetta kontribuzzjonijiet bla limitazzjoni u għajnuna f'kull għamla minn individwi, mill-awtoritajiet pubbliċi u minn korpi privati.

Hija tista' taċċetta bħala aġent jew *trustee* fondi jew proprjetà fi *trust* jew assenjati għal użu partikolari, basta li dak l-użu jkun fil-kamp ġenerali ta' l-attivitajiet, skopijiet u setgħat tagħha.

Hija tista' taċċetta kull trasferiment ta' bini immobbli għall-użu jew benefiċċju tagħha.

Hija tista' tikkostitwixxi u tamministra kull fondi ta' riżerva, ta' assigurazzjoni u fondi oħra għall-persunal tagħha jew għal kwalunkwe attività tagħha.

ARTIKOLU 22

Tmexxija u Kontroll

Il-fondi u l-proprjetà kollha li f'dak iż-żmien li jkun ikunu f'idejn is-Socjetà Maltija tar-Red Cross ikunu sugġetti għall-kontroll tal-Kumitat ta' Tmexxija.

Il-Kumitat ta' Tmexxija ma għandux jidhol f'xi impenn finanzjarju li ma jkunx ġie riferit lill-Kummissjoni tal-Finanzi u li ma jkunx ġie irraportat dwaru mill-istess Kummissjoni.

ARTIKOLU 23

Sena Finanzjarja

Is-sena finanzjarja tibda fl-1 ta' Jannar u taghlaq fil-31 ta' Diċembru ta' kull sena.

ARTIKOLU 24

Budgets

Id-Direttur Ġenerali jifformula l-*budget* annwali f'konsultazzjoni mat-Teżorier. Dan il-*budget* jiġi sottomess lill-Kumitat ta' Tmexxija (u l-Assemblea Ġenerali) permezz tal-Kummissjoni tal-Finanzi.

Id-Direttur Ġenerali huwa responsabbli flimkien mal-Kummissjoni tal-Finanzi u t-Teżorier għall-amministrazzjoni tal-*budget* approvat.

ARTIKOLU 25

Verifika

F'għeluq kull sena finanzjarja l-kontijiet ta' l-imsemmija sena:

- (1) isiru s-sugġett ta' rapport magħmul mit-Teżorier,
- (2) jiġu verifikati u jsir rapport dwarhom minn kumpannija ta' *chartered accountants*.

Dawn ir-rapporti jirreferu kemm għall-*budget* kif ukoll għall-fondi fdati lis-Socjetà Maltija tar-Red Cross fil-kapaċità ta' aġent jew *trustee*.

ARTIKOLU 26

Teżorier

It-Teżorier, li l-hatra tiegħu hemm provdut għaliha fl-Artikolu 16, huwa membru *ex officio* tal-Kummissjoni tal-Finanzi sabiex jagħti l-parir tiegħu dwar materji finanzjarji.

Huwa jirċievi l-fondi kollha mhallsa lis-Socjetà Maltija tar-Red Cross għal kull liema skop ikun.

Huwa responsabbli għal dawn il-fondi lejn il-Kumitat ta' Tmexxija; huwa jiddisponi minnhom b'mandati mill-President jew Segretarju Ġenerali.

Id-deċiżjonijiet dwar il-manigġ u l-investment tal-fondi disponibbli jittiehdu mid-Direttur Ġenerali fi qbil mat-Teżorier, li mbagħad jesegwixxi dawk id-deċiżjonijiet.

ARTIKOLU 27

Kummissjoni tal-Finanzi

Il-Kummissjoni tal-Finanzi, li l-membri tagħha jiġu eletti mill-Kumitat ta' Tmexxija u li tagħha t-Teżorier ikun membru *ex officio*, tagħti l-parir tagħha fuq il-kwestjonijiet finanzjarji kollha u b'mod partikolari fuq il-*budgets*, fuq il-kontijiet annwali u fuq ir-rapport tat-Teżorier.

KAPITOLU VIII

Relazzjonijiet Internazzjonali

ARTIKOLU 28

Relazzjonijiet ma' membri ohra tal-Moviment Internazzjonali tar-Red Cross u Red Crescent

Is-Socjetà Maltija tar-Red Cross hija parti fis-solidarjetà li tgħaqquad il-membri kollha tal-Moviment Internazzjonali tar-Red Cross u Red Crescent, Soċjetajiet Nazzjonali u Organizzazzjonijiet Internazzjonali tar-Red Cross u żżomm relazzjonijiet kontinwi magħhom.

Hija tipparteċipa sal-limitu tal-mezzi disponibbli f'hidmiet internazzjonali tar-Red Cross.

Hija teżercita d-drittijiet u taqdi d-dmirijiet derivati mis-shubija tagħha fil-Moviment Internazzjonali tar-Red Cross u Red Crescent skond l-Istatuti tal-Moviment Internazzjonali tar-Red Cross u Red Crescent, u bhala membru tal-Lega skond il-Kostituzzjoni tal-Lega.

KAPITOLU IX

Proċedura

ARTIKOLU 29

Regolamenti

Il-Kumitat ta' Tmexxija jifformula u jemenda dawk il-*Bye-Laws* u regolamenti kollha li jkunu meħtieġa għall-implimentazzjoni ta' dawn l-Istatuti.

ARTIKOLU 30

Emendi għall-Istatuti

Dawn l-Istatuti jistgħu jiġu emendati biss wara li jiġu eżaminati mill-Kumitat ta' Tmexxija u b'deċiżjoni ta' l-Assemblea Ġenerali meħuda b'maġġoranza ta' żewġ terzi ta' dawk preżenti u li jivvotaw. Kull emenda proposta għandha tiġi komunikata lill-Lega u lill-Konferenza Internazzjonali tar-Red Cross skond l-Artikolu 5.2.d tal-Kostituzzjoni tal-Lega, Riżoluzzjoni VI adottata mit-XXII Konferenza Internazzjonali tar-Red Cross (Teheran 1973), u r-Riżoluzzjoni XX adottata mill-XXIV Konferenza Internazzjonali tar-Red Cross (Manila 1981).

Xoljiment

Is-Socjetà Maltija tar-Red Cross tista' tiġi xolta biss b'liġi jew b'deċiżjoni ta' l-Assemblea Ġenerali meħuda bi *quorum* ta' żewġ terzi tal-membri tagħha u b'maġġoranza ta' tliet kwarti ta' dawk preżenti u li jivvutaw.

IT-TIENI SKEDA

(Artikolu 4)

1. Konvenzjoni ta' Ġinevra tat-12 ta' Awissu, 1949, għall-Amiljorament tal-Kondizzjoni tal-Feruti u l-Morda ta' Forzi Armati fil-Kamp tal-Gwerra.
2. Konvenzjoni ta' Ġinevra għall-Amiljorament tal-Kondizzjoni tal-Membri Feruti, Morda jew Nawfragati ta' Forzi Armati fuq il-Baħar, tat-12 ta' Awissu, 1949.
3. Konvenzjoni ta' Ġinevra dwar it-trattament ta' Prigunieri tal-Gwerra, tat-12 ta' Awissu, 1949.
4. Konvenzjoni ta' Ġinevra dwar il-protezzjoni ta' Persuni Pajżani fi żmien ta' Gwerra, tat-12 ta' Awissu, 1949.
5. Protokoll Addizzjonali għall-Konvenzjonijiet ta' Ġinevra tat-12 ta' Awissu, 1949, u li għandu x'jaqsam mal-Protezzjoni ta' Vittmi ta' Konflitti Armati Internazzjonali (Protokoll I).
6. Protokoll Addizzjonali għall-Konvenzjonijiet ta' Ġinevra tat-12 ta' Awissu, 1949, u li għandu x'jaqsam mal-Protezzjoni ta' Vittmi ta' Konflitti Armati Mhux-Internazzjonali (Protokoll II).

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa li jipprovdi għall-għarfien tas-Socjetà Maltija tar-Red Cross.

**A BILL
entitled**

AN ACT to make provision for the recognition of the Malta Red Cross Society and for matters connected therewith.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Malta Red Cross Society Act, 1991, and shall come into force on such date as the Minister responsible for health may by notice in the Gazette establish. Short title.

2. The Malta Red Cross Society (hereinafter in this Act referred to as the Society) whose statute is reproduced in the First Schedule to this Act is a voluntary aid society independent of and auxiliary to the public authorities in the humanitarian field on the basis of the First Geneva Convention of the 12th August, 1949 for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Malta Red Cross Society.

3. The Society shall be autonomous and shall adhere to the rules and principles of the International Red Cross and Red Crescent Movement. Society and International Red Cross and Red Crescent Movement.

4. (1) The Society shall have the right in conformity with the conventions listed in the Second Schedule to this Act (hereinafter referred to as the listed conventions) to use the emblem of the Red Cross on a white ground formed by reversing the colours of the Swiss Confederation. Use of Red Cross Emblem.

(2) (a) It shall not be lawful for any person other than the Society or any other person authorised under the provisions of the listed conventions to use for any purpose whatever the emblem of the Red Cross, the Red Crescent or any distinctive emblem as is referred to in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12th 1949, any colourable imitation thereof, or words "Red Cross" or "Red Crescent".

(b) Any person who contravenes the provisions of paragraph (a) of this subsection shall be guilty of an offence and shall on conviction be liable to a fine (*multa*) of not more than five hundred Maltese liri.

(3) The Society with the concurrence of the Minister responsible for health may by regulations to be published in the Gazette make provision generally for regulating the use of the emblems and words referred to in subsection (2) of this section, and any use of such emblems or words in conformity with any regulations made in accordance with the subsection shall not be deemed to be used in contravention with subsection (2) of this section.

Amendments
to Statute
of Society.

5. The Statute of the Society as set in the First Schedule to this Act may subject to section 3 of this Act be amended or substituted in accordance with the rules set out in the said statute.

FIRST SCHEDULE

(Sections 2 and 5)

STATUTE OF THE MALTA RED CROSS SOCIETY

CHAPTER 1

General Provisions

ARTICLE I

Constitution

The Malta Red Cross was founded on the 24th October, 1991. Its constitution is based on the Geneva Convention, to which Malta is a Party, and on the Fundamental Principles of the Movement, namely:

HUMANITY

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect human life and health and to ensure respect for human being. It promotes mutual understanding, friendship, co-operation and lasting peace amongst all peoples.

- IMPARTIALITY** It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals being guided solely by their needs, and to give priority to the most urgent cases of distress.
- NEUTRALITY** In order to continue to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.
- INDEPENDENCE** The Movement is independent. The National Societies while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.
- VOLUNTARY SERVICE** It is a voluntary relief movement not prompted in any manner by desire for gain.
- UNITY** There can be only one Red Cross or one Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.
- UNIVERSALITY** The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

ARTICLE 2

National and International Character

The Malta Red Cross shall seek official recognition by the government as a voluntary relief Society, auxiliary to the public authorities, and particularly to the Medical Services of the Armed Forces in accordance with provisions of the First Geneva Convention, and as the only National Red Cross Society which may carry out its activities in the Maltese territory.

In relation to the public authorities, the Malta Red Cross maintains an autonomy which allows it to act at all times in accordance with the Fundamental Principles of the Movement.

The Malta Red Cross shall seek recognition by the International Committee of the Red Cross and seek to be part of the International Red Cross and Red Crescent Movement. It shall seek membership of the League of Red Cross and Red Crescent Societies.

The Malta Red Cross will be a legally constituted association. It will possess legal status. Its term of existence is unlimited. Its headquarters will be located in Valletta.

ARTICLE 3

Structure

The Malta Red Cross comprises a central organisation, consisting of a General Assembly and a Managing Committee.

ARTICLE 4

Emblem

The Malta Red Cross has an emblem the heraldic sign of the red cross on a white ground in accordance with the Geneva Conventions and national law for all the purposes foreseen by the International Conference of the Red Cross and Red Crescent.

CHAPTER II

Object

ARTICLE 5

General Object and Principal Aims

The general object of the Malta Red Cross is to prevent and alleviate suffering with complete impartiality, making no discrimination as to nationality, race, gender, religious beliefs, class or political opinions.

For this purpose its task is in particular:

(1) to act in case of armed conflict, and in peace prepare to act in all the fields covered by the Geneva Conventions and on behalf of all war victims, both civilian and military.

(2) to contribute to the improvement of health, the prevention of disease and the mitigation of suffering by programmes of training and services for the benefit of the community, adapted to national and local needs and circumstances.

(3) to organise, within the scope of the national plan, emergency relief services for the victims of disasters, howsoever caused.

(4) to recruit, train and assign such personnel as are necessary for the discharge of its responsibilities.

(5) to promote the participation of children and young people in the work of the Red Cross.

(6) to propagate the Fundamental Principles of the Movement and those of International humanitarian Law in order to develop among the population, and in particular among children and youth, the ideals of peace, mutual respect and understanding among all men and all peoples.

CHAPTER III

Members

ARTICLE 6

Membership of the Society

Membership of the Malta Red Cross is open to everyone without any discrimination based on race, gender, class, religion or political opinions.

There are active, subscribing and honorary members.

ARTICLE 7

Active Members

Active members are those persons who have agreed to give service to the Malta Red Cross and are registered as such by the Managing Committee.

ARTICLE 8

Subscribing Members

Subscribing members are those persons who pay the annual subscription laid down by the General Assembly.

ARTICLE 9

Honorary Members

Honorary Members are those persons who have been so designated by the Managing Committee to mark exceptional services to the Society.

ARTICLE 10

Loss of the Status of Member

Any member may give notice of resignation in writing at any time.

Subscribing membership expires automatically after twelve months unless the subscription is renewed.

CHAPTER IV

General Assembly

ARTICLE 11

Composition

The General Assembly represents the Malta Red Cross as a whole. It is composed of the members of the Managing Committee, of active members and of subscribing members (Articles 7 and 8).

ARTICLE 12

Powers

The General Assembly is the highest authority of the Malta Red Cross.

It elects the members of the Managing Committee.

It approves the annual report.

It votes the budget submitted by the Managing Committee and approves the accounts of the past financial year.

It fixes the amount of subscriptions.

It approves amendments made to the Statutes in conformity with the relevant provisions.

It discusses all items entered on the final agenda which it has adopted.

ARTICLE 13

Sessions

The General Assembly meets each year in ordinary session, at a time and place laid down by the previous General Assembly, or by the Managing Committee acting under authority delegated to it by the General Assembly. It meets in extraordinary session on the initiative of the Managing Committee or at the request of one fifth of the members of the General Assembly.

ARTICLE 14

Procedure

The General Assembly is presided over by the President of the Malta Red Cross.

Except where otherwise provided for in these Statutes, the General Assembly takes all its decisions with a quorum of half its members and a majority of those present and voting.

Each of its members has a single vote.

CHAPTER V

Managing Committee

ARTICLE 15

Composition

The Malta Red Cross is controlled and administered by the Managing Committee composed of:

- (a) six members elected by the General Assembly, for a two year period, three of these shall retire and be replaced at each General Assembly;

(b) not more than three distinguished personalities chosen by the elected members or the Managing Committee for their special qualifications or because of their interest in the Red Cross.

The term of office of members of the Managing Committee is two years. It may be renewed.

ARTICLE 16

Powers

Subject to the provisions of articles 19 and 22 and within the framework of the decisions and general directive adopted by the General Assembly, the managing Committee is vested with all the powers necessary for carrying out the aims of the Malta Red Cross.

It elects or provides for the election of the President, the Vice-President(s), the Treasurer and the Finance Commission.

It appoints and agrees the terms of office of the Director General.

It draws up, approves or amends all regulations which are necessary in order to give effect to the present Statutes.

It sets up the committees or commissions which it deem desirable or necessary for carrying out these tasks.

ARTICLE 17

Sessions

The Managing Committee meets in ordinary session every three months.

Extraordinary sessions of the Managing Committee are held on the initiative of the President or at the request of one third of its Members.

ARTICLE 18

Procedure

The Managing Committee is presided over by the President of the Malta Red Cross.

It takes all its decisions with a quorum of one half of its members and by a majority of those present and voting.

Each of its members has a single vote.

CHAPTER VI
Managing Committee

ARTICLE 19

Functions of the President

The President ensures the general supervision of the administration of the Malta Red Cross and the carrying out of decisions taken by its committees and commissions. He is competent to take any urgent measures in the interval between their sessions or when it is impossible for them to meet owing to exceptional circumstances; he is responsible for giving an account of such measures at the next meeting of the committees in question.

If the President is prevented from carrying out his functions, his place is taken by one of the Vice-Presidents or by the Director General.

ARTICLE 20

Director General

The Director General is appointed by the Managing Committee on such terms as may be mutually agreed.

The Director General is the Chief Executive Officer of the Malta Red Cross and is responsible for implementing the general policy and directives laid down by the Managing Committee; he is *ex officio* secretary of the Managing Committee, and all other commissions.

CHAPTER VII
Financial Provisions

ARTICLE 21

Financial Resources

Within the limits laid down by its object, the Malta Red Cross acquires, owns, alienates and administers any property as may be deemed fit.

It may accept unrestricted contributions and assistance in any form from individuals from the public authorities and from private bodies.

It may accept as agent or trustee funds or property in trust or earmarked for particular use, provided that such use is within the general scope of its activities, purposes and powers.

It may accept any conveyance of real estate to its use or benefit.

It may constitute and administer any reserve, insurance or other funds for its staff or any of its activities.

ARTICLE 22

Management and Control

All funds and property for the time being held by the Malta Red Cross shall be subject to the control of the Managing Committee.

The Managing Committee shall not enter into any financial engagement which has not been referred to and reported upon by the Finance Commission.

ARTICLE 23

Financial Year

The financial year begins on 1st January and closes on 31st December of each year.

ARTICLE 24

Budgets

The Director General draws up the annual budget in consultation with the Treasurer. It is submitted to the Managing Committee (and the General Assembly) through the Finance Commission.

The Director General is responsible in conjunction with the Finance Commission and the Treasurer for the administration of the Budget approved.

ARTICLE 25

Auditing

At the close of each financial year the accounts of the said year:

- (1) are made the subject of a report made by the Treasurer,
- (2) are audited and reported on by a company of chartered accountants.

These reports refer both to the budget and to funds entrusted to the Malta Red Cross in the capacity of agent or trustee.

ARTICLE 26

Treasurer

The Treasurer, whose appointment is provided for in Article 16, is *ex officio* a member of the Finance Commission in order to give his advice on financial matters.

He receives all the funds paid to Malta Red Cross for whatever purpose.

He is accountable for these funds to the Managing Committee; he disposes of them by mandates from the President or Secretary General.

Decision as to the handling and investment of the available funds are taken by the Director General in agreement with the Treasurer, who shall then carry out such decisions.

ARTICLE 27

Finance Commission

The Finance Commission, whose members are elected by the Managing Committee and of which the Treasurer is an *ex officio* member, gives its advice on all financial questions and in particular on the budgets, on the annual accounts and on the Treasurer's report.

CHAPTER VIII

International Relations

ARTICLE 28

Relations with other members of the International Red Cross and Red Crescent Movement

The Malta Red Cross is party to the solidarity which unites all members of the International Red Cross and Red Crescent Movement, National Societies and international organisations of the Red Cross and maintains continuous relations with them.

It participates to the extent of the means available in international actions of the Red Cross.

It exercises the rights and undertakes the duties deriving from its membership of the International Red Cross and Red Crescent Movement in accordance with the Statutes of International Red Cross and Red Crescent Movement, and as a member of the League in accordance with the Constitution of the League.

CHAPTER IX

Procedure

ARTICLE 29

Regulations

The Managing Committee draws up and amends all such Bye-Laws and regulations as are necessary for the implementation of these Statutes.

ARTICLE 30

Amendments of the Statutes

These Statutes can only be amended after examination by the Managing Committee and by a decision of the General Assembly taken by a two-thirds majority of

those present and voting. Any proposed amendments shall be communicated to the League and the ICRC in accordance with Article 5.2.d. of the League Constitution. Resolution VI adopted by the XXIIInd International Conference of the Red Cross (Teheran 1973), and Resolution XX adopted by the XXIVth International Conference of the Red Cross (Manila 1981).

ARTICLE 31

Dissolution

The Malta Red Cross can only be dissolved by law or by a decision of the General Assembly taken with a quorum of two-thirds of its members and by a three-fourths majority of those present and voting.

SECOND SCHEDULE

(Section 4)

1. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12th August, 1949.
2. Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12th August, 1949.
3. Geneva Convention relative to the treatment of Prisoners of War, of 12th August, 1949.
4. Geneva Convention relative to the protection of Civilian Persons in time of War, of 12th August, 1949.
5. Protocol Additional to the Geneva Conventions of 12th August, 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol 1).
6. Protocol Additional to the Geneva Conventions of 12th August, 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

Objects and Reasons

The Object of the Bill is to provide for the recognition of the Malta Red Cross Society.