

# **Aesthetic Physicians Association of Malta (APAM)**

## **Statute**

### **Article 1:**

#### **Year**

#### **NAME**

- 1.1 The name of the Association shall be “Aesthetic Physicians Association of Malta”
- 1.2 This organisation is governed by the Voluntary Organisations Act (Chapter 492 of the Laws of Malta), hereby referred to as the Act unless otherwise indicated.

### **Article 2:**

#### **ADDRESS**

- 2.1 The official registered address of the Organisation is: 187 St Paul Street, Valletta or such other address as may be determined by the Executive Committee from time to time.

### **Article 3:**

#### **MISSION STATEMENT OF THE ORGANISATION**

- 3.1 The aim of the Aesthetic Physicians Association of Malta (APAM) is to improve the safety and ethical practice of Aesthetic Medicine through education, support to all members and collaboration with authorities to enforce rules and regulations in accordance with the Laws of Malta. The Association will promote public safety by ensuring that the right medical professionals are trained and that they are following the right procedures to ultimately offer a high-level standard.

### **Article 4:**

#### **GENERAL PURPOSE**

- 4.1 The general purpose of the association is regulating treatments in accordance with the Laws of Malta and to bring about awareness of the existing standards and to set the bar for all practitioners. The association will ensure consumer protection by providing the necessary information to the public about the Aesthetic Medicine limits, risks and standards that should be considered before making use of such procedures and products

## Article 5:

### OBJECTIVES

5.1 The Association shall have the following objectives:

The association is a non-profit organization. Its objectives are: -

**1. To provide support and assistance to its members and to the Public**

An online forum will be available for all the members together with the public to get in touch with the association and express their concerns.

By being a platform for discussion to provide opportunities for academic advancement to its Doctor members.

**2. To contribute to the development and improvement of the highest professional standards in the medical aesthetic field**

By collectively making sure that the public has access factual unbiased non-commercial information seeing that platforms like the internet have become a source of so much mis information which can be harmful to the public at large

The association will share with its members all the conferences opportunities and will encourage more entities to set up seminars and training from qualified Doctors.

To provide access to members of the public who suffer facial disfigurement after trauma and to help these people regain confidence after trauma

**3. To educate the public in seeking and understanding what a high standard level of treatment means**

Online blog posts on the official website and shared on social media, giving out information to educate the public. Seeking the right mediums to give out factual, unbiased, and non-commercial information to educate the public

The Association will liaise with the educational department and other department and authorities to deliver seminars and educate the public about this field of medicine, its benefits and limitations and safety standards especially when it sought to treat issues like acne and obesity which have been proven to have a psychological and health impact on the public at large.

**4. To enhance training to recognized professional warranted medical members and to share every update on innovative techniques, both research and experimentation**

**5. To promote ethical, scientific, professional, social and cultural interest of the medical aesthetic profession**

**6. To encourage and promote research in the field of Aesthetic Medicine to have more information at hand about the various case scenarios that a professional can experience**

**7. To form part of any national or international Organization whose objectives are similar to that of the Association**

**8. To do all that which is necessary, ancillary, incidental or conducive to the legal attainment of the above objectives.**

## **Article 6**

### **GENERAL POLICY**

- 6.1 The Organisation shall be autonomous and voluntary.
- 6.2 The Organisation shall be defined according to the definition given in the Act and any excess of funds received or generated from its activities must always be reinvested in the same Organisation.
- 6.3 Except where the context otherwise requires, words denoting the singular include the plural and the masculine include the feminine and vice versa.
- 6.4 No part of the income, capital or property is or shall be made available directly or indirectly to any individual person or group of persons including but not limited to promoter, founder, member, administrator, donor or any other private interest unless the person is a recipient as defined in the objectives above.
- 6.5 The Executive Committee of the Organisation shall not receive any remuneration in connection with the carrying out their functions of administrators except by way of reimbursement of out of pocket expenses if any.
- 6.6 The accounts of the Organisation shall be reviewed or audited on a yearly basis in accordance with the Act.
- 6.7 The Organisation shall submit its annual returns and respective ancillary documentation to the Commissioner of Voluntary Organisations in compliance with the Act.
- 6.8 Provided its autonomy is not affected, the Organisation may collaborate with other entities on a national, regional or international basis in order to further its aims.
- 6.9 The Organisation shall not have any political or trade union affiliation and it shall not indulge in partisan politics.
- 6.10 All prospective Members and Associate Members of the Organisation shall have access to the statute of Organisation upon demand. Prospective Members will be required to state that they are aware of the objectives of the Organisation.

## Article 7

### STRUCTURE AND MEMBERSHIP

- 7.1 **Qualification Requirements.** Every person who is a medical doctor and who specializes in aesthetic medicine by profession may apply to become a member of the Association irrespective of nationality (and only subject to observance of the Applicable Laws). For an application to be accepted the applicant must satisfy the following requirements
- a) possesses the Basic Medical Qualifications;
  - b) score sufficient points under the Higher Standards system;
  - c) adheres to the Code of Ethics for Aesthetic Physicians
  - d) submits a signed, witnessed and complete original Membership Agreement together with the application fee, supported by that number and quality of referee specified in the same Membership Agreement.
- 7.2 **Request in writing.** Every applicant has to file a request in writing addressed to the Secretary at the registered address of the Association. The application must be made on the form made available by the Association on their website  
The Board of Administrators may authorize the Secretary to review application documents, recommend the said applicant to the Board, process the application and/or determine the application for membership subject to such modalities as may be imposed by the Board. The Secretary shall obtain Board approval where there is ambiguity as regards any of the core values necessary for membership.
- 7.3 **Associate,** Medical doctors who practice aesthetic medicine sporadically or occasionally, rather than professionally, may apply for membership. Upon subscribing to the purposes of the Association and implementing these in his or her own practice he shall be in line to being afforded membership on satisfaction of such conditions which are not arbitrary and which are in line with Applicable Law, in terms of assessment for membership and consideration for membership  
Persons who are not medical doctors may not become members or associates of the Association. Persons who are medical doctors, and in particular plastic, and/or reconstructive surgeons, may become members of the Association so long as they subscribed to and follow the Code of Ethics for Aesthetic Physicians.
- 7.4 **Membership.** The applicant shall only become a member of the Association once his name appears on the register of members of the Association, an extract of which shall be sent to him confirming the date of membership. Membership, as specifically provided for under Article 54 of the Schedule, is not transferable nor is it susceptible to inheritance.

The Board of Administrators determines an application for membership and the relevant modalities yet it is the Specialty Committee which determines who may lawfully make use of the designation of specialist in any practice making up aesthetics medicine, in particular plastic surgery.

Members shall be subject to revalidation every five years from first joining, if the majority of all Members subject themselves this process as their five year term falls due.

- 7.5 **Conditions for acceptance.** The Board of Administrators shall only accede to a membership request where this is in compliance with the by-laws of the Association and, in particular, where the application is later supported by a recommendation and the necessary documentation indicated in the by-laws. The by-laws shall indicate the contents of the Membership Agreement and the Membership Fee payable.

**Delegation.** The Board of Administrators may delegate or authorise that this function be performed by one or more Membership Committees.

- 7.6 **Rights of Membership.** The rights of the members in relation to the Association are those provided in this article. Each member shall have the right to:

- a) Vote at a general meeting, including the annual general meeting;
- b) Where a minimum of 10% of all the members of the Association entitled to vote at the annual general meeting so request, they may propose and agenda item for the AGM and/or requisition an extraordinary meeting in relation to any particular matter so specified in the signed request;
- c) Obtain copy of this Deed of Establishment, the Statute and any internal rules or other by-laws;
- d) Request a copy of (i) the financial statements of the Association, (ii) the audit opinion addressed to the Promoter and/or Members of the Association (iii) the Administrators report;
- e) Be recommended to the Medical Council for approval as “specialist” on the basis of the documents submitted and the performance of the undertakings contained in the Membership Agreement, if the meet the self-imposed criteria inherent in membership and inherent in each grade of membership and type of specialty;

These rights shall be subject to modalities specified in the Statute (as this may be amended from time to time) and / or the internal rules or other by-laws.

Associates shall not be recognized any such possibilities, by assuming that they are prima facie in good standing under the Code of Ethics and in compliance with their undertakings may make representations to the Association on any matter of which they are informed.

Persons who are no longer members of the Association, who have received a notice that they are in breach of this Deed / The Statute / the by-laws / Membership Agreement or who are not in good standing with the obligations undertaken by becoming a member of the Association shall not have any rights arising out of membership, except the right to be heard before being expelled from the Association as contemplated in the Schedule.

**7.7 Undertakings.** Members shall commit to performing such general or specific obligations which are in compliance with Applicable Law and which tend to further the purposes of the Association. Without prejudice to any additional undertaking contained in the Membership Agreement, each Member and Associate shall be bound to: (a) report any advertising done by any person which is in breach of these standards, (b) report any individual, person or other organization which is in breach of the standards contained, (c) guide and support any person who has been the subject of deceit, malpractice or harm to the website and/or offices of the Association so that he or she is aware of how to minimize the harm occasioned, remedy the wrong and obtain redress, (d) disseminate education on aesthetic medicine and procedures among their clients and/or patients, (e) collaborate with the public authorities and report illegalities to the Association and/or public authorities in accordance with the Procedures Booklet available on the website of the Association, (f) contribute to drawing up and keeping up to date guidelines and standards which take into account international practice and the local realities, (g) testify in front of public authorities or tribunals against any person who is practicing aesthetic medicine in breach of Applicable Law, where it comes to acting without a licence, promoting themselves using such designations which deceive or mislead the public, make use of equipment or medicine which requires the intervention of a medical doctor and / or practices aesthetic medicine (and plastic surgery in particular) without the required licence.

**7.8 Guidance notes and Directives.** The Board may issue guidance notes (which shall be addressed to the members and non-members alike and which shall not have a binding effect) and directives (which shall be binding on the Members and Associates). These directives and guidance notes shall be issued in accordance with such procedure as may be determined by the Board and shall be subject to revocation or variation if found to be non-compliant with the requirements of Applicable Law. The Board shall be bound to consult (and resolve) internally with its Members in the event of a material complaint.

Directive and Guidance Notes shall be reviewed for compliance with this Statute, the Code of Ethics, the Standards and Applicable Law.

**7.9 Designation as APAM Members.** Membership implies being vetted by peers and other independent panelists who enjoy public trust for compliance with published standards and compliance with ethical rules which will be published on the Association's website. This designation shall make it clear that membership is not equivalent to Medical Council approval of a specialty but is a public signal which should inspire consumer confidence.

## Article 8

### POWERS OF THE EXECUTIVE COMMITTEE

8.1 The business of the Organisation shall be managed by the Executive Committee which shall authorise the payment of all expenses, preliminary and incidental to the management of the Organisation as they deem fit.

8.2 The first Administrators of the organisation and their responsibilities are:

Role	ID Number	Name	Surname	Property Address		
<b>President</b>	0402977M	Dr Jason	Debono	63 Aurora	Ciantar Street	Imqabba
<b>Secretary</b>	0268881M	Dr Joanna	Delia	186	Saint Paul Street	Valletta
<b>Treasurer</b>	0469683M	Dr Charlene	Scicluna	Block 2, Penthouse 1	Ta San Tumas	M'Scala

8.3 Legal Representation of the Organisation shall be vested in the Executive Committee.

8.4 The Members of the Executive Committee may act notwithstanding any vacancy in their constitution.

Role	ID Number	Name	Surname	Property Address			
President	0402977M	Dr Jason	Debono	63	Aurora	Ciantar Street	Imqabba
Secretary	0268881M	Dr Joanna	Delia	186		Saint Paul Street	Valletta
Treasurer	0469683M	Dr Charlene	Scicluna	Ta San Tumas	Block 2, Penthouse 1	Triq Gandolffi	M'Scala
Member	0481872M	Dr Tyron	Pillow	Il-Fanal		Triq il-Pedidawett	Madliena, Swieqi
Member	077480M	Dr Anna Maria	Fenech Mangion	14		Dun Gwann Pullicino Street	Naxxar
Member	0499372M	Dr David	Grech	6	Fur Elise	Adelaide Cini Street	Pembroke

- 8.5 The Executive Committee is authorised to consult and seek the advice of any Member of the Organisation with the aim of improving the standing of the Organisation and the welfare of its members.
- 8.6 The Executive Committee is authorised to appoint an External Advisory Committees or advisor to support it in its role.

## **Article 9**

### **PRESIDENT**

- 9.1 The President will preside at all Executive Committee meetings and General Meetings of the Organisation. The President, shall undertake such functions in respect of the Organisation as the Executive Committee may determine from time to time.
- 9.2 The Executive Committee may also elect from among its members a Vice-president and may determine for what period he is to hold office. The Vice-President will preside on the Executive Committee with full powers in the absence of the President.
- 9.3 Provided that in the absence of both the President and the Vice-President, and provided a quorum is available, the Executive Committee will have the power to appoint a substitute/s from within the Executive Committee to conduct the meetings.
- 9.4 If the number of the Executive Committee falls below the minimum requirements set in this statute, the Executive Committee shall co-opt another person who shall retain his office only until the next General Meeting but then shall be eligible for re-election.

## **Article 10**

### **SECRETARY**

- 10.1 The Secretary will be primarily responsible for all the secretarial and administrative work of the Executive Committee.
- 10.2 The Executive Committee may elect from among its members an Assistant Secretary to assist the Secretary as necessary.



10.3 The Secretary and his assistant shall undertake such functions in respect of the Organisation as the Executive Committee may determine from time to time.

## **Article 11**

### **TREASURER**

11.1 The Treasurer will be responsible for all the record keeping of income and expenditure of the organisation.

11.2 The Executive Committee may elect from among its members an Assistant Treasurer to assist the Treasurer.

11.3 The Treasurer and his Assistant shall undertake such functions in respect of the Organisation as the Executive Committee determines from time to time.

## **Article 12**

### **REMOVAL OF MEMBERS OF THE EXECUTIVE COMMITTEE**

12.1 The office of an official member of the Committee shall be vacated before the expiration of his period of office:

- a) If he ceases to be a member of the Organisation.
- b) If by notice in writing to the Organisation, he resigns from office.
- c) If he is removed from office by a resolution duly passed at an Extraordinary General Meeting.
- d) If he was convicted of any of the crimes mentioned in Titles V, VI and IX of Part II of Book First of the Criminal Code in the previous ten years shall not be eligible for appointment in the Executive Committee or any other offence that runs counter to the objectives, policies, beliefs and mission statement of the organisation
- e) If he is responsible of repetitive disruption of meetings and hinders the function of the Organisation.

12.2 Provided that, notwithstanding any action intended to remove an administrator on such grounds shall be preceded by a notice in writing, in electronic or postal form, to such person stating the alleged reasons for such removal and providing such

person with a responsible opportunity to defend himself and rebut the allegations. Following this, the Executive Committee is to hold another meeting where a secret vote is taken on the issue and the vote taken during this meeting is final.

## **Article 13**

### **PROCEEDINGS OF THE EXECUTIVE COMMITTEE**

- 13.1 Subject as hereinafter provided, the Executive Committee may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they deem fit. The Executive Committee shall meet at least once every 3months.
- 13.2 The quorum necessary for the transaction of the business of the Executive Committee shall be 50%+1 of the number of members on the Executive Committee as indicated in Article 7.4 of this statute provided that if no quorum is present within half an hour from the time appointed for the meeting, the meeting shall be adjourned to another day within two weeks. If at such adjourned meeting no quorum is present within half an hour from the time appointed for the meeting, the meeting shall proceed accordingly.
- 13.3 Matters decided at any meeting of the Executive Committee shall be decided by a simple majority of votes. In case of an equality of votes, the Chairperson of the meeting shall ask for a re-vote. In the event of an equality of votes on the revote, the Chairperson of the meeting shall have a casting vote.
- 13.4 On the request of the President or his/her Vice-President the Secretary shall, at any time, summons a meeting of the Executive Committee by notice (stating the time and place of such a meeting). This notice has to be served upon the members of the Executive Committee by postal or electronic mail giving a notice of at least five working days.
- 13.5 The Executive Committee may delegate any of its powers to sub committees consisting of such member or members of the Executive Committee or of such other persons as it deems fit, and any sub committee so formed shall, in the exercise of the powers so delegated, conform to any regulations imposed on it by the Executive Committee.
- 13.6 The Executive Committee shall cause proper minutes to be made at all times, including of all appointments of officers made by the Executive Committee and of the proceedings of all meetings of the Organisation and of the Executive Committee and of sub committees of the Executive Committee.
- 13.7 All business transacted at such meetings, and any such minutes of any meeting, if purporting to be signed by the President and Secretary of such meeting, or by the

President and Secretary of the next succeeding meeting, shall be sufficient evidence without any further proof of the facts therein stated.

- 13.8 The Executive Committee shall prepare accounts and reports on a regular basis as prescribed by the Act. Such accounts, reports and records shall be held for a period of ten years.
- 13.9 The Executive Committee is responsible to submit the required documentation as prescribed by the Act and its subsidiary legislation to the Office of the Commissioner for Voluntary Organisations.

## **Article 14**

### **MEMBERSHIP FEES, FUNDS AND ACCOUNTS**

- 14.1 (a) Applications for membership shall not be considered unless accompanied by the applicable fee.
- (b) The membership fee shall be payable yearly in advance and shall fall due as determined by the Executive Committee.
- (c) If the membership fee is due and a member has not yet paid the previous year's membership fee, he shall not be entitled to vote in the next General Meeting.
- (d) Any Member who resigns or forfeits his membership shall on rejoining be liable to pay a readmission fee equivalent to one year's membership.
- 14.2 All funds received by the Organisation shall be in full and strict compliance to all relative legislation. This includes voluntary contributions, donations or grants by Members, benefactors, the State, any other institution, and from fundraising activities.
- 14.3 The funds of the Organisation shall be deposited in bank accounts of a local bank duly registered by the Malta Financial Standards Authority (MFSA) in the name of the Organisation and the authorised joint signatories for operating such accounts shall be the President, the Secretary and the Treasurer. The signature of the Treasurer and one other signature of the President or Secretary will suffice.
- 14.4 The Treasurer shall keep such proper books of accounts as will enable him to present at every General Meeting of the Organisation, or at any other time if required (on reasonable notice to him) by the Executive Committee, an accurate report and statement concerning the finances of the Organisation.

- 14.5 The annual accounts of the organisation are to be drawn up for a financial period commencing on 1<sup>st</sup> January and ending on 31<sup>st</sup> December of each year.
- 14.6 The Executive Committee is responsible to submit the annual accounts as prescribed by the Act and its subsidiary legislation to the Office of the Commissioner for Voluntary Organisations.

## **Article 15**

### **GENERAL MEETINGS**

- 15.1 An Annual General Meeting of the Organisation shall be held at least once every calendar year. At this meeting the annual report and the accounts of the organisation as approved by the Executive Committee, as well as the report of the auditors or reviewers shall be presented and discussed. Notice of the day and time of the Annual General Meeting shall be given to each member at least fifteen (15) working days before such day by means of postal or electronic mail.
- 15.2 Other meetings of the Organisation may be summoned by the Executive Committee and shall be so summoned immediately upon a request in writing signed by at least ten per cent of the Members.
- 15.3 At any meeting of the Organisation every member of the Organisation shall be entitled to be present, and every Member shall be entitled to one (1) vote upon every matter raised. In the case of equality of voting, the President of the meeting (who shall be the outgoing President of the Executive Committee) shall have a second or casting vote. The Secretary shall take minutes of the proceedings at all General Meetings of the Organisation.
- 15.4 The Secretary shall present the Annual Report of the Organisation to the Annual General Meeting.
- 15.5 The quorum for the Annual or any Meeting shall be fifty plus one per cent (50% + 1 %) of the general membership. In the absence of such quorum, a new Meeting will be called with the same agenda.
- 15.6 The auditors and/or reviewers shall be nominated and elected by the members attending and having a right to vote at General Meetings. No auditor or reviewer of accounts who has held office on the Executive Committee during the past twelve (12) months will be eligible for nomination. No auditor or reviewer of accounts shall run for office on the Executive Committee during the following twelve (12) months.

## **Article 16**

## **CONDUCT OF MEMBERS**

- 16.1 Every Member shall conform to the Organization's Code of Ethics, if any. Any Member or members alleged to have brought or attempted to bring disrepute on the Organisation or any other offence, shall be asked to appear before the Executive Committee and if, in the opinion of the Executive Committee, the case be found proven, the Member shall be deprived of his membership. If the said Member fails to appear before the Executive Committee without justification he shall be deprived of membership.

### **Article 17**

## **NOTICES**

- 17.1 Each Member shall keep the Secretary informed of that member's private address, email address, or of some other address at which communications may be addressed to him with full accordance with the General Data Protection Regulations.

### **Article 18**

## **AMENDMENTS TO THE STATUTE**

- 18.1 This Statute may be revoked, added to or altered by a vote of at least fifty-one per cent (51%) of all the registered members of the Organisation who are entitled to vote at a General Meeting of the Organisation of which notice has been duly given specifying the intention to propose the revocation, addition or alteration, together with full particulars thereof.

### **Article 19**

## **DISSOLUTION**

- 19.1 If at any time the Organisation shall pass in General Meeting by a majority comprising seventy-five per cent (75%) of all the registered Members present and entitled to vote a resolution of its intention to dissolve, the Executive Committee shall take immediate steps to settle any debts, and dispose of the monies and property remaining as determined by the General Meeting; and thereupon the Organisation shall for all purposes be dissolved.
- 19.2 In the event of dissolution of the Organisation, any remaining funds and/or property shall be donated to either, a voluntary non-profit making organisation, a non-profit charitable institution or the Voluntary Organisations Fund chosen by the outgoing Executive Committee.

19.3 In the event of dissolution of the Organisation, the outgoing Executive Committee is to inform the Commissioner for Voluntary Organisations within 15 days of the decision taken to dissolve.

19.4 In the event of dissolution of the Organisation, the outgoing Executive Committee is to present all relevant documents to the Commissioner for Voluntary Organisations including the original Certificate of Enrolment.

## **Article 20**

### **DECLARATION**

20.1 This statute has been approved during an Extraordinary General Meeting held on the 25<sup>th</sup> of November, 2020 and supersedes any previous version, and is being certified by all the Executive Committee.

President

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Dr Jason Debono  
ID 0402977(M)

Secretary

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Dr Joanna Delia  
ID 0268881(M)

Treasurer

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Dr Charlene Scicluna  
ID 0469683 (M)

Member

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Dr David Grech  
ID 0499372(M)

Member

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Dr Tyron Pillow  
ID 0481827(M)

Member

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Dr Anna Maria Fenech Magrin  
ID 077480(M)