

CONSTITUTION OF ACADEMIC STAFF ASSOCIATION OF THE UNIVERSITY OF HONG KONG

1. NAME AND OFFICE

- 1.1 The name of the Association shall be “Academic Staff Association of The University of Hong Kong” in short “ASA” and in Chinese “香港大學教師及職員會” (hereinafter referred to as the “Association”).
- 1.2 The registered office and postal address of the Association shall be at Room 104, 1/F., Pao Siu Loong Building, The University of Hong Kong, Pokfulam Road, Hong Kong, in Chinese “香港薄扶林道香港大學包兆龍樓1樓104室”, or such other place as may be decided upon by the Executive Committee. *(rev. 2015.04.24)*

2. OBJECTS

The objects of the Association shall be as follows:

- 2.1 To obtain and maintain just and reasonable rates of salaries, hours of work and other conditions of employment, and generally to protect the interests of Members.
- 2.2 To regulate relations and to settle disputes between Member(s) and The University of Hong Kong (hereinafter referred to as “the University”), between one Member and another, and between Member(s) and other employee(s) by amicable and conciliatory means.
- 2.3 To promote a spirit of mutual respect and understanding between the Association and the University and to secure the establishment of recognized and permanent machinery for negotiation with the University.
- 2.4 To establish, carry on or participate in the business of printing or publishing newspapers, journals, books, pamphlets or other publications which may be thought desirable for the promotion of the interests of the Association and its Members.
- 2.5 To provide for members legal advice and legal assistance in connection with the employment of members, and such others as the General Meeting may decide.
- 2.6 To do all such other lawful things as are incidental or conducive to the attainment of any or all of the above objects.

3. GOVERNANCE

The supreme authority of the Association shall be vested in the General Meeting and subject to this authority the Association shall be governed by the Executive Committee.

4. MEMBERSHIP

- 4.1 Any person seeking to become a Member of the Association shall make application to the Executive Committee defined in Article 6 in such manner as the Executive Committee may determine from time to time. When the application is approved by the Executive Committee, he/she shall pay the subscription, obtain a membership certificate and become a Member of the Association. Any omission from or inaccuracy or misrepresentation in the particulars relating to the applicant shall render his/her admission voidable at the discretion of the Executive Committee.
- 4.2 The following persons could apply to be Members of the Association:
 - a) i) All academic and academic-related staff on Terms of Service I, IV and 0;

- ii) All non-academic staff in Bands F to J,
 - b) All part-time or temporary staff employed in posts given in (a) above.
- 4.3 A Member, except Retiring Member, who has ceased to be employed or engaged in the University under the term listed in Article 4.2 may retain his membership for a maximum period of six months subject to the approval by the Executive Committee. In the case where a Member who has been a Member for thirty (30) months or more may make application to the Executive Committee to become an Associate of the Association notwithstanding the Member has ceased to be employed or engaged in the University under the term listed in Article 4.2. An Associate is not a member of the union but shall be entitled to benefits and rights provided by the Association but not entitled to vote at any General Meeting and Extraordinary General Meeting of the Association subject to the payment of annual subscription; *(rev. 2016.05.05)*
- 4.4 All Members must abide by the Constitution and decisions of the Association. Any member breaking the Constitution of the Association is liable to disciplinary action or expulsion by the Executive Committee (see Article 6.9). Any member disciplined or expelled may appeal to the General Meeting.
- 4.5 A Member who does not pay the subscription according to Article 11 shall not be a qualified Member. He/she shall not be entitled to benefits provided by the Association and shall not be entitled to vote on any matter of the Association. A Member who is more than three months in arrears with such subscriptions shall cease to be a Member, but he/she may be reinstated at the discretion of the Executive Committee on payment of all arrears. Moreover, he/she can only enjoy the rights and benefits of the Association 7 working days after the Executive Committee has agreed to resume his/her membership.
- 4.6 Any Member who is not satisfied with the business of the Association may lodge his/her complaint with the Executive Committee in writing. The Executive Committee shall not refuse to consider such complaint in any circumstances and shall summon the complainant to make an account of the matter. The Executive Committee shall give a reply in writing when it comes to a decision on whether or not to accept the complaint. The Member may appeal to a General Meeting if he/she considers that the Executive Committee has no ground to turn down his/her complaint.
- 4.7 A voting member who retires from the University under the term listed in Article 4.2 on account of age or ill-health (but not on any other grounds) may, subject to the decision of the Executive Committee and the payment of annual subscription, be appointed a Retiring Member who shall be entitled to benefits and rights provided by the Association but shall not have the right to vote at any General Meeting and Extraordinary General Meeting of the Association. *(add. 2016.05.05)*

5. OFFICERS

- 5.1 The officers of the Association shall be the Chairman, Vice-Chairman, Treasurer and Secretary, and they shall be elected in accordance with the provisions of Article 8. *(rev. 2015.04.24)*
- 5.2 **Chairman**
- a) The Chairman shall preside at all General Meetings and Executive Committee Meetings and shall be responsible for the proper conduct of business of such meetings. He/she shall sign the minutes of each meeting after they are approved. In case the numbers of votes for and against an item are equal, the Chairman is entitled to a second or casting vote;

- b) With the assistance of the Secretary and the Treasurer, he/she shall superintend the general administration of the Association and shall ensure the observance of the Association's Constitution by all Members;
- c) He/She is empowered to countersign every document of the Association to which the common seal of the Association is affixed as provided under Article 19.2, in conjunction with a member of the Executive Committee;
- d) He/She may, in conjunction with the Vice-Chairman, Treasurer or Secretary, sign cheques or cash withdrawal forms on behalf of the Association;
- e) He/She shall prepare the Annual Report of the Association for submission to the Annual General Meeting and any other reports necessary for Extraordinary General Meetings;
- f) He/She shall, in conjunction with the Secretary, furnish to the Registrar of Trade Unions before 31 March in each year a return showing the names of the members of the Executive Committee and membership of the Association on 31 December in the preceding year.

5.3 Vice-Chairman

- a) The Vice-Chairman shall carry out his/her duties as defined by the Executive Committee. In the absence of the Chairman he/she shall deputise until the Chairman returns or until the vacancy is filled in accordance with the provision of Article 6.6;
- b) He/She may, in conjunction with the Chairman, Treasurer or Secretary, sign cheques or cash withdrawal forms on behalf of the Association;
- c) He/She is empowered to countersign every document of the Association to which the common seal of the Association is affixed as provided under Article 19.2 in conjunction with a member of the Executive Committee;

5.4 Treasurer

- a) The Treasurer shall be responsible for the safety of all moneys and shall keep full and accurate books and accounts and maintain a satisfactory system of control with respect to all transactions conducted in the name of the Association and maintain proper records of the Association's assets and liabilities. He/she shall prepare a monthly financial statement for the Executive Committee and shall prepare, as soon as possible after the close of each financial year, an annual statement of accounts to be audited by the auditor for presentation to the Annual General Meeting. He/she shall forward the auditor's report together with the audited annual statement of accounts to the Registrar of Trade Unions within three months after the closing of the financial year;
- b) He/She is empowered to countersign every document of the Association to which the common seal of the Association is affixed as provided under Article 19.2 in conjunction with a member of the Executive Committee;
- c) He/She shall give free of charge to every Member upon request an audited annual statement of accounts of all the receipts and expenditures and of the assets and liabilities of the Association;
- d) He/She may, in conjunction with the Chairman, Vice-Chairman or the Secretary, sign cheques or cash withdrawal forms on behalf of the Association;
- e) He/She shall not keep cash in excess of HK\$2,000.00, and shall deposit all other sums of money in a bank account opened in the name of the Association and appointed by the Executive Committee.

5.5 **Secretary**

- a) The Secretary shall conduct the business of the Association in accordance with the Constitution and shall carry out the instructions of the General Meetings and of the Executive Committee;
- b) He/She shall keep the common seal of the Association in safe custody;
- c) He/She shall keep a register of all Members;
- d) He/She shall attend all meetings of the Association and shall record the proceedings of the meetings;
- e) He/She is empowered to countersign every document of the Association to which the common seal of the Association is affixed as provided under Article 19.2 in conjunction with a member of the Executive Committee;
- f) He/She may, in conjunction with the Chairman, Vice-Chairman or Treasurer, sign cheques or cash withdrawal forms on behalf of the Association.
- g) He/She shall, in conjunction with the Chairman, furnish to the Registrar of Trade Unions before 31 March in each year a return showing the names of the members of the Executive Committee and membership of the Association on 31 December in the preceding year.

5.6 **Deleted** *(rev. 2015.04.24)*

- 5.7 Any member of the Executive Committee whose duties involve financial responsibility shall provide such security as the Executive Committee may require.

6. **EXECUTIVE COMMITTEE**

- 6.1 There shall be an Executive Committee composed of four to eight members including officers listed in Article 5.1 given that no less than 50% of the Executive Committee shall be voting members. A list of all the members of the Executive Committee and their office titles shall be displayed at the registered office of the Association. *(rev. 2015.04.24)* . *(rev. 2016.05.05)*
- 6.2 The affairs of the Association shall be conducted and managed by the Executive Committee.
- 6.3 The Executive Committee shall have power to procure legal advice or assistance for any qualified member on any matter connected with the prosecution or defence undertaken for the purpose of securing or protecting any rights arising out of the relations of the member with the University, provided that the Executive Committee is satisfied that the case merits legal advice or assistance.
- 6.4 The Executive Committee shall give instructions to the Secretary and other officers for the conduct of the affairs of the Association. It may appoint and dissolve sub-committees.
- 6.5 The Executive Committee shall meet at least 8 times a year. Over half of the total number of members of the Executive Committee or Sub-Committee(s) shall form a quorum for the Executive Committee or Sub-Committee(s). With the exception of amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the Constitution of the Association, all decisions of the Executive Committee shall be valid if they are made by a majority of all those members of the Committee present constituting a quorum. *(rev. 2014.03.20)*
- 6.6 In the event of death, resignation or dismissal of any member of the Executive Committee between two Annual General Meetings or when, during such period, any member of the

Executive Committee is unavoidably absent from Hong Kong and such absence is likely to be permanent or unduly prolonged, the vacancy shall be filled by the candidate who secured the next highest number of votes for the same office at the last election. In the absence of such candidate, the Executive Committee shall within one month after the vacancy has arisen convene a General Meeting to elect a replacement. Any replacement member or officer will serve the rest of the term of the vacating member or officer, as the case may be.

- 6.7 The Executive Committee shall pursue the objects of the Association and shall protect its funds against extravagance or misappropriation.
- 6.8 The Executive Committee may suspend or dismiss any member of the Executive Committee for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the General Meetings or of the Executive Committee, or for any other reason deemed good and sufficient in the interests of the Association. Any member of the Executive Committee suspended or dismissed may appeal to a General Meeting.
- 6.9 The Executive Committee may give a warning to, or discipline or expel from the Association any Member who is proven to its satisfaction to have been guilty of conduct prejudicial to the interests of the Association. Any Member warned, disciplined or expelled may appeal to a General Meeting.
- 6.10 Subject to Article 6.5 and the overriding authority of the General Meeting, all decisions of the Executive Committee shall be binding on all Members of the Association.
- 6.11 The Executive Committee shall interpret the Constitutions, determine any points which the Constitutions do not adequately cover, and propose alterations to the General Meeting for approval.
- 6.12 Whenever there is a change of members or officers in the Executive Committee, arrangements for handing/taking over of duties and documents shall be made within one month of the change. A certificate to this effect shall be signed by the out-going and the in-coming members of the Executive Committee for the record of the Executive Committee.

7. **NEWSLETTER**

- 7.1 There shall be an ASA Newsletter published by and for the Association at least 3 times a year.
- 7.2 It shall inform Members of the Association of current news of the Association. *(rev. 2015.04.24)*

8. **ELECTIONS AND SECRET BALLOT**

- 8.1 The term for each member of the Executive Committee shall be two years.
- 8.2 To ensure continuity in the Association, the two-year serving term of the member(s) of the Executive Committee shall be so staggered that not more than a half of the members of the Executive Committee shall retire after each Annual General Meeting. *(rev. 2014.03.20)*
- 8.3 To execute Article 8.2, special arrangement has been made to the term for members of the First Executive Committee as follows:

8.3.1 One-year Term

Chairman
Secretary

Two to three members

8.3.2 Two-year Term

Vice-Chairman

Treasurer

Editor

One to three members

8.4 All Members, Retiring Members and Associates shall be eligible for election except:

a) those on secondment; and/or

b) those whose subscriptions are not paid before the dispatch of the notice of the Annual General Meeting. *(rev. 2016.05.05)*

8.5 A retiring member of the Executive Committee shall be eligible for re-election and shall continue to hold office or be a member of the Executive Committee until the completion of the election for his/her office or membership.

8.6 Each eligible Member, Retiring Member and Associate defined in Article 8.4 presenting himself/herself for election as member of the Executive Committee shall have been nominated and seconded by 2 other eligible Members by means of the nomination forms distributed by the Secretary not less than 4 weeks before the Annual General Meeting and shall have indicated his/her willingness to stand for election; and every such nomination form shall be returned to the ASA Office no later than 2 weeks before the date of the Annual General Meeting. *(rev. 2016.05.05)*

8.7 The election will be held by secret ballot during the Annual General Meeting. All ballot forms shall be distributed by the Secretary and must not be signed by the voters who mark or inscribe them and must be placed in the sealed ballot box provided by the Executive Committee. No less than 2 scrutineers will be appointed by the Executive Committee to observe the balloting procedure and count the votes. The scrutineers will report on the voting procedure at the Annual General Meeting.

8.8 After the voting has been completed the Secretary shall communicate within 5 working days to all Members a notice showing in respect of each vacancy:

a) the number of votes received by each candidate;

b) the total number of votes cast;

c) the number of ballot papers declared to be null and void by reason of their being ambiguous or spoiled.

8.9 Every ballot paper collected shall be retained at the ASA Office for not less than 4 weeks after the Annual General Meeting and may be inspected by any person who was a candidate for election at such meeting.

8.10 Whenever the membership of a Committee of the Council, or a Committee of the Senate includes a representative (or delegate) of the Association and whenever a representative of the Association is required on any other official body or organisation, nominations for appointments shall be made by the Executive Committee or shall within 14 working days be notified to Members of the Association and to such other person or persons or organisations as may be appropriate.

8.11 All elections or other matters for decision by secret ballot at the General Meeting shall be held under the authority of the Executive Committee or a Sub-Committee appointed specifically for the purpose by the Executive Committee.

8.12 In addition to the election of officers and members of the Executive Committee, the following items shall be decided by secret ballot:

- a) change in the name of the Association;
- b) amalgamation of the Association with any other trade union;
- c) federation of the Association with any other trade union or trade union federation;
- d) being or becoming a member of an organisation established in a foreign country;
- e) resolution on payment of electoral expenses referred to in section 33A(1) of the Trade Unions Ordinance when no electoral fund has been established;
- f) dissolution of the Association.

9. ANNUAL GENERAL MEETING AND EXTRAORDINARY GENERAL MEETING

9.1 Annual General Meeting

9.1.1 There shall be an Annual General Meeting in February/March of each calendar year and notice of such a meeting shall be sent to each Member at least 4 weeks before the date set for the meeting by the Secretary. The Secretary shall prepare the agenda and send it to Members 7 working days before the date fixed for such General Meeting. The number of days is exclusive of the day of service of the notice/agenda, and of the day of meeting. The business of the said Meeting shall be:

- a) to confirm the minutes of the previous Annual General Meeting of Members and of any intervening Extraordinary General Meeting of Members;
- b) to consider the Annual Report on the activities of the Association since the date of the last Annual General Meeting submitted by the Chairman;
- c) to consider and approve the statement of accounts for the previous financial year together with the report on the audit of accounts of the Association submitted by the Treasurer;
- d) to elect members of the Executive Committee in accordance with Article 8;
- e) to appoint an Auditor;
- f) to consider any other business of the Association.

9.1.2 All Members, Retiring Members and Associates shall be entitled to attend the Annual General Meeting. Only voting Members shall be entitled to vote at the Annual General Meeting. In the case of an equality of votes at an Annual General Meeting, whether on a show of hands or by a secret ballot, the Chairman of the meeting shall be entitled to a second or casting vote. *(rev. 2016.05.05)*

9.2 Extraordinary General Meeting

9.2.1 There shall be such Extraordinary General Meetings of the Association at a place and at a time determined by the Executive Committee. An Extraordinary General Meeting shall be called by the Secretary when requested to do so by the Executive Committee, or in writing by at least 25 voting Members or not less than five per cent (5%) of the total voting Members, whichever is the less. The business of such meeting shall be limited to the specific subject(s) of the request. Decisions reached at the Extraordinary General Meeting of Members shall have the same validity and authority as decisions reached at the Annual General Meeting of Members provided that, where any alteration of the Constitutions of the Association is contemplated, such proposed alteration shall be specifically stated in the agenda of the meeting. In such an event the Secretary must give at least 7 working days' notice to Members

of the Extraordinary General Meeting, which shall take place within the period of 3 weeks of receipt of the request.

- 9.2.2 All Members, Retiring Members and Associates shall be entitled to attend the Extraordinary General Meeting. Only voting Members shall be entitled to vote at the Extraordinary General Meeting. In the case of an equality of votes at an Extraordinary General Meeting, whether on a show of hands or by secret ballot, the Chairman of the meeting shall be entitled to a second or casting vote. *(rev. 2016.05.05)*
- 9.3 The General Meeting shall be the sole authority to make alterations, amendments and additions to any of these Articles, to rescind any of these Articles and to make new Articles provided that matters specified in the Schedule 2 to the Trade Unions Ordinance are adequately provided for.
- 9.4 The quorum for Annual General Meetings and Extraordinary General Meetings shall be five per cent (5%) of the total voting members or 20 voting members, whichever is the less. With the exception of those matters regarding amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the Constitution of the Association, all decisions of the General Meeting shall be valid if they are made by a majority of all voting Members present constituting a quorum. *(rev. 2014.03.20)*
- 9.5 If within one hour from the time appointed for a General Meeting, the number of voting Members present at the meeting is insufficient to constitute a quorum, the Executive Committee shall adjourn the meeting within 14 working days. In case the meeting is convened at the request of Members under Article 9.2.1 and the number of voting Members present within one hour from the time appointed for the General Meeting is insufficient to constitute a quorum, the meeting shall be called off and no adjournment shall be made.
- 9.6 The Secretary shall send the notice for calling the adjourned meeting and agenda to each Member at least 7 working days prior to the meeting. At that meeting, a quorum shall be formed by whatever number of voting Members present. With the exception of those matters regarding amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the Constitution of the Association, all decisions of the adjourned meeting shall be valid if they are made by a majority of all voting Members present at the meeting. These decisions shall be binding on all Members. However, the notice for the adjourned meeting shall specify in detail the provision of this Constitution for the reference of all Members.

10. **VALIDITY OF MEETINGS AND ELECTIONS**

- 10.1 The accidental omission to give notice of a meeting to, or the non-receipt of any notice or nomination form by any Member shall not affect the validity of any meeting or any election, provided that such notice or nomination form has been despatched to Members by the Secretary through the internal mail system (including electronic means) of the University.
- 10.2 No election shall be declared invalid by reason only of any defect in any nomination which is discovered after the completion of the **voting** at such election.

11. **ENTRANCE FEE AND SUBSCRIPTIONS**

- 11.1.1 New members who join the Association within 3 months after receiving membership invitation from the Association will have the subscription of the first year and entrance fee waived. *(add. 2014.03.20)*

- 11.1.2 The annual subscription shall be \$200 for a calendar year from 1st January to 31st December.
- 11.1.3 New members who at the time of joining the Association have served in the University for more than 2 years will have to pay an entrance fee of \$500. *(add. 2014.03.20)*
- 11.1.4 The entrance fee but not the subscription of first year shall be waived for the Associate of the Association under Article 4.3. A Retiring Member shall not be required to pay entrance fee and annual subscription. *(add. 2016.05.05)*
- 11.2 Such subscription shall be payable by all current Members not later than the last day of December of the preceding year, and payable by new Members when they join. A Member shall always be liable to pay a full subscription no matter at which time he/she joins the Association.
- 11.3 The General Meeting of the Association shall be the sole authority to alter any subscriptions.
- 11.4 The subscription fee is non-refundable under any circumstances.

12. RESIGNATION

A Member may resign from the Association by communicating his/her intention to this effect in writing to the Chairman or the Secretary, such resignation to be effective from receipt of the communication or a later date specified in the resignation in writing. A resigned member can re-join the Association as a new member subject to the approval of Executive Committee in accordance with Article 4.1 and payment of entrance fee and subscriptions prescribed in Article 11. *(rev. 2016.05.05)*

13. FINANCIAL RULES

- 13.1 The Association shall maintain a separate Bank Account in the name of "Academic Staff Association of The University of Hong Kong".
- 13.2 The Association shall have a General Fund.
- 13.3 The General Fund may be used with the authority of the Executive Committee only for the following purposes:
- a) the payment to members of the Executive Committee and paid staff of the Association of salaries, allowances and expenses in dealing with the affairs of the Association;
 - b) the payment of expenses for the administration of the Association, including audit of the accounts of the funds of the Association;
 - c) the prosecution or defence of any legal proceeding to which the Association or any Member is a party when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Association as such or any rights arising out of the relations of any Member with the University;
 - d) the payment of subscriptions, fees, contributions or donations to other registered trade unions or other lawful associations or combinations established within Hong Kong;
 - e) the payment of fines imposed on the Association for any offence of which it is convicted under the Trade Unions Ordinance or any other ordinances;
 - f) subject to the approval of a General Meeting, the payment for any other lawful purposes as permitted by the Trade Unions Ordinance;

- g) the conduct of trade disputes on behalf of the Association or any Member;
 - h) the compensation of Members for loss arising out of trade disputes;
- 13.4 Cheques drawn on this account shall be signed by any two of the following:
- a) Chairman,
 - b) Vice-Chairman,
 - c) Secretary,
 - d) Treasurer.
- 13.5 Material expenditure in excess of HK\$5,000.00 shall be authorised in advance by the Executive Committee except where, for reasons of expediency or necessity, this is not possible. In such an event a report shall be submitted to the Executive Committee;
- 13.6 All money paid to the Association shall be received by the Treasurer or his/her representative who shall issue a receipt for each payment received and shall pay the amount received into the Association's Bank Account;

14. FINANCIAL YEAR

The financial year of the Association shall commence on the 1st day of January each year and terminate on the last day of December of the same year.

15. AUDITOR

- 15.1 One auditor, who need not be a Member of the Association, shall be appointed at the Annual General Meeting for a term of 1 year. His/her appointment is subject to the approval of the Registrar of Trade Unions, and he/she shall be eligible for re-appointment.
- 15.2 In the event of an auditor vacating his/her office between two Annual General Meetings, the Executive Committee shall have the power to appoint a suitable person to fill the vacancy until the next Annual General Meeting. The appointment will be referred to the next General Meeting for covering approval. On obtaining the approval, the appointed person can continue to serve the remaining term of the out-going auditor, if any.
- 15.3 The auditor shall audit all the accounts of the Association, including those of the General Fund and any subsidiary accounts, as soon as possible after the close of each financial year and at other times when necessary. He/she shall examine all books and accounts of the Association, certify as to their correctness or otherwise and make a report to the Annual General Meeting to state whether in his/her opinion a true and fair view is given.
- 15.4 A copy of auditor's report shall be conspicuously displayed at the registered office of the Association.

16. INSPECTION OF BOOKS

Any Member shall be allowed to inspect the Association's account books, original copy of registered Constitution and register of Members. An application to this effect must be made in advance to the Secretary, who shall be allowed reasonable time to make the necessary documents available.

17. TRADE DISPUTES

In no case shall a stoppage of work take place or be threatened to take place in the name of the Association without the sanction of the General Meeting.

18. DISSOLUTION OR WINDING-UP OF THE ASSOCIATION

18.1 The registration of the Association may be cancelled by voluntary dissolution, or upon a request by the Association or by decision of the Registrar of Trade Unions in accordance with the Trade Unions Ordinance.

18.2 a) The Association can be dissolved only with the consent of not less than two-thirds of the total number of voting Members obtained by secret ballot at an Extraordinary General Meeting. When the Association is dissolved, the Secretary shall notify the Registrar of Trade Unions to this effect within 14 working days thereof;

b) In the event of the Association being dissolved or the registration of the Association has been cancelled on whatever grounds, any surplus assets and funds remaining after the satisfaction of its debts and liabilities shall be disposed of in such manner as decided at an Extraordinary General Meeting.

19. COMMON SEAL AND CONTRACT

19.1 The Association shall have a common seal which shall be in the safe custody of the Secretary, and it shall only be used by the authority of the Executive Committee.

19.2 Any contract or instrument made by the Executive Committee on behalf of the Association to which the common seal of the Association is affixed shall be signed by a member of the Executive Committee and countersigned by the Chairman, the Vice-Chairman, the Treasurer or the Secretary.

20. AVAILABILITY OF THE CONSTITUTION

A copy of the registered Constitution of the Association shall be available at the website of the Association and a printed copy at the registered office of the Association for perusal of every person accepted into membership of the Association.

21. AMENDMENT TO CONSTITUTION

21.1 This Constitution may be amended by any resolution passed at any General Meeting by a majority of not less than two-thirds of the voting Members present at such meeting and who vote upon such proposed amendment. The amendment is subject to the approval of the Registrar of Trade Unions.

21.2 Written notice of every proposed amendment to this Constitution shall be sent to Members at least 7 working days before the date fixed for such General Meeting.

21.3 Not later than one month after such General Meeting the Secretary shall send to every Member a copy of every resolution passed at such meeting.

22. DEFINITIONS

In this Constitution, unless the context otherwise requires :

“General Meeting” includes Annual General Meeting of Members and Extraordinary

General Meeting of Members.

“members of the Executive Committee” means all persons who constitute the Executive Committee.

“officer” means any member of the Executive Committee who concurrently holds a designated office in the Executive Committee.

“original copy of registered Constitution” means the copy of Constitution that bears the certificate of registration issued by the Registry of Trade Unions.

“qualified Member” means any Member who is not in arrears of subscriptions, if any, by virtue of Article 4.5.

“registered” means registered under the Trade Unions Ordinance.

“voting Member” means any Member of the Association entitled to vote for any purposes under the Constitution of the Association.

As at February 2009

Revised 20 March 2014

Revised 24 April 2015

Revised 5 May 2016