

# **The By-law of Hong Kong University Students' Union Independent Clubs Association Council**

## ***Enactment History***

***25th February 2008 Amended***

***31st May 2010 [CM4] Amended***

***16th February 2011 [CM12] Amended***

***27th May 2011 [CM3] Amended***

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***3rd March, 2017 [CM1] Amended***

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## **Article 1 Terminology (*Amended in 2010-2011 CM12*)**

In this context, unless otherwise requires, the following terms shall have the following meanings:

Term	Meaning
"the Association"	"Hong Kong University Students' Union Independent Clubs Association"
"the Union"	"Hong Kong University Students' Union"
"the Union Council"	"Hong Kong University Students' Union Council"
"Independent Club(s)"	"All club(s) affiliated to the Union through the Association"
"Council"	"Hong Kong University Students' Union Independent Clubs Association Council"
"Council Meeting(s)"	"Meeting(s) of the Council"

"Councilor(s)"	"Council Chairperson; Council Honorary Secretary; Past President; Council Past Representative(s); the Executive Committee member(s) of the Association; and the representative(s) of Independent Clubs which are affiliated to the Union through the Association"
"Official Observer(s)"	"The acting Executive Committee member(s) of the Association; and the representative(s) of Independent Clubs which are partially affiliated to the Union through the Association"
"Constitution Review Committee"	"Constitution Review Committee of the Council"
"Disciplinary Committee"	"Disciplinary Committee of the Council"
"Finance Committee"	"Finance Committee of the Council"
"Programme Committee"	"Programme Committee of the Council"
"Ex-co"	"Executive Committee of the Association"
"AGM"	"Annual General Meeting"
"EGM"	"Extraordinary General Meeting"

## **Article 2 Interpretation and Amendment (*Amended in 2010-2011 CM12*)**

1. The interpretation of the By-law shall rest with the Council. (*Amended in 2010-2011 CM4*)
2. The By-law shall not be amended except by a motion carried with a two-thirds majority at the corresponding Council Meeting. (*Appended in 2010-2011 CM12*)
3. A notice intimating the proposed amendment or recession shall be released 120 hours (five days) before the corresponding Council Meeting. (*Appended in 2010-2011 CM12*)

## **Article 3 Applicability**

The By-law shall be applicable to all Councilors and Official Observers.

## **Article 4 Maiden Speech**

New Councilor and Official Observer shall deliver a speech to the Council at their first Council Meeting pledging their support to the Council and the Association. (*Amended in 2011-2012 CM7*)

## **Article 5 Attendance**

1. Each Councilor or Official Observer shall sign in and sign out in person on the attendance sheet provided by the Council Honorary Secretary specifically for the particular Council Meeting to show his/her presence.
2. Right to speak, to vote, to move and second motions shall be conferred on a Councilor upon his/her presence in the Council Meeting. Right to speak only shall be conferred on an Official Observer upon his/her presence in the Council Meeting.
3. No rights specified in Article 5(2) shall be conferred on a Councilor or Official Observer if he/she does not sign in on the attendance sheet.
4. All Councilors and Official Observers shall not attend less than 50% of all Council Meeting

sessions during their individual session.

5. All Councilors and Official Observers, other than Past President and Council Past Representative(s) shall not be absent from two consecutive Council Meetings. All Councilors being the Past President or Council Past Representative(s) shall not be absent from three consecutive Council Meetings. ***(Amended in 2011-2012 CM7)***
6. If the Council Meeting is adjourned, the following Council Meeting shall be regarded as the continuum of the previous Council Meeting. But it shall be counted as a new Council Meeting.
7. Each Independent Club shall not be unrepresented in two consecutive Council Meetings.
8. Councilors and Official Observers shall, by a formal letter or any other practical means as instructed, inform the Council Honorary Secretary of their absence from, late arrival in, substitution of representatives for, or early departure from a Council Meeting before its commencement. If non-written notification is employed, a formal letter shall be submitted within three working days after the Council Meeting. ***(Amended in 2010-2011 CM4)***
9. In the event of absence, Councilors and Official Observers from Independent Clubs shall send substitutions to represent their Independent Clubs to attend a Council Meeting. The substitutions shall be executive committee members of the Independent Club concerned of the current session. Subject to Article 5(8), the names and posts of substitutions, as well as the reasons of absence of the Councilors or Official Observers, shall be included in the letter. The substitution of a Councilor shall enjoy the right of a Councilor as the right to speak, to vote and to move and second a motion. The substitution of an Official Observer shall enjoy the right of an Official Observer as the right to speak only. ***(Amended in 2010-2011 CM12)***
10. Councilors and Official Observers who are late for a Council Meeting shall indicate their time of arrival against their signature on the attendance sheet.
11. In the event of early departure of Councilors and Official Observers, they shall notify the Council in the manner of oral presentation of their reason for departure.
12. Councilors and Official Observers who attend less than half of the Council Meeting shall be considered to be absent from the whole Council Meeting.
13. Councilors and Official Observers who are late for a Council Meeting for more than 60 minutes and without prior notification to the Council shall be considered to be absent for the whole Council Meeting.
14. Councilors and Official Observers shall not leave from a Council Meeting for more than 15 minutes. Otherwise, the Council Chairperson and the Disciplinary Committee may inquire the Councilors and Official Observers concerned of their reason for the temporary leave. The Disciplinary Committee shall be responsible for any possible follow-up actions against the Councilors and Official Observers concerned.
15. There shall be only one substitution of each Councilor or Official Observer of Independent Clubs during the same Council Meeting.

16. Substitution of representatives, late arrival with apology, and early departure from a Council Meeting, with prior notification to the Council, provided that there is no contradiction with the terms above, shall not be counted as absence from the Council Meeting.

#### **Article 6 Committee Attendance (*Appended in 2017-2018 CM1*)**

1. All Committee Members shall not attend less than 50% of all Committee Meetings of the session.
2. Committee Members shall, by a formal letter, inform the Committee of their absence from, late arrival in, or early departure from a Committee Meeting before its commencement. If any other practical means is taken, a formal letter shall be submitted within three working days after the Committee Meeting.
3. Committee Members who attend less than half of the Committee Meeting shall be considered to be absent from the whole Committee Meeting.
4. Committee Members who are late for a Committee Meeting for more than 60 minutes and without prior notification to the Committee shall be considered to be absent for the whole Committee Meeting.
5. No substitution of Committees members shall be allowed in any Committee Meeting.

#### **Article 7 Manner of Absentee**

1. In the event of unrepresentation of an Independent Club in two consecutive Council Meetings, a Disciplinary Committee meeting shall be convened to discuss the matter within 14 clear days from the latest Council Meeting from which the person concerned is absent. The representative from the Independent Club concerned shall be invited to that meeting. Following agenda shall be discussed: "To discuss the reason for failure of representation of the Independent Club in two consecutive ICA Council Meetings".
2. In the event of absence of a Councilor or an Official Observer from Independent Clubs of the Independent Club from two consecutive Council Meetings, a Disciplinary Committee meeting shall be convened to discuss the matter within 14 clear days from the latest Council Meeting from which the person concerned is absent. The representative from the Independent Club concerned shall be invited to that meeting. Following agenda shall be discussed: "To discuss the reason for absence of the Councilor or Official Observer from two consecutive ICA Council Meetings". (*Amended in 2010-2011 CM12*)
3. In the event of absence of an Ex-co member in two consecutive Council Meetings, a member of the Disciplinary Committee who is not the person concerned shall convene and chair a Disciplinary Committee meeting to discuss the matter within 14 clear days from the latest Council Meeting from which the person concerned is absent. The person concerned shall be invited to that meeting. Following agenda shall be discussed: "To discuss the reason for absence of the Ex-co member from two consecutive ICA Council Meetings".

4. In the event of absence of the Council Chairperson or Council Honorary Secretary in two consecutive Council Meetings, a member of the Disciplinary Committee who is not the person concerned shall convene and chair a Disciplinary Committee meeting to discuss the matter within 14 clear days from the latest Council Meeting from which the person concerned is absent. The person concerned shall be invited to that meeting. Following agenda shall be discussed: "To discuss the reason for absence of the Council Chairperson or Council Honorary Secretary from two consecutive ICA Council Meetings". **(Appended in 2010-2011 CM12)**
5. In the event of absence of the Past President or Council Past Representative in three consecutive Council Meetings, a member of the Disciplinary Committee who is not the person concerned shall convene and chair a Disciplinary Committee meeting to discuss the matter within 14 clear days from the latest Council Meeting from which the person concerned is absent. The person concerned shall be invited to that meeting. Following agenda shall be discussed: "To discuss the reason for absence of the Past President or Council Past Representative from three consecutive ICA Council Meetings". **(Appended in 2010-2011 CM12)**
6. After the meeting, the Disciplinary Committee shall discuss the matter, report the matter and propose follow-up actions to the Council. The follow-up actions shall be discussed and approved in a Council Meeting. The Council may suggest the Administrative Secretary of the Union the access of the Independent Club concerned to all facilities of the Union be suspended. **(Amended in 2010-2011 CM12)**
7. In the event of discontentment of the advice of the Disciplinary Committee, the final discussion shall be vested in the Council.
8. If the Councilor or Official Observer fails to attend half of the Council Meetings in the session, the Council shall consider a motion of regret to the Councilor or Official Observer. **(Amended in 2010-2011 CM4)**
9. If the Independent Club fails to be represented in half of the Council Meetings in the session, the Council shall consider a motion of regret to the Independent Club. Constitution Review Committee and Disciplinary Committee shall discuss the conduct of the Independent Club. Constitution Review Committee shall take it into consideration for the purpose of the affiliation of the Independent Club. **(Amended in 2010-2011 CM4)**
10. If a Councilor or an Official Observer from Independent Clubs, or an Independent Club is regretted in the Council, the Disciplinary Committee shall discuss the matter, report the matter and propose follow-up actions to the Council. The follow-up actions shall be discussed and approved in a Council Meeting. **(Amended in 2011-2012 CM3)**

## **Article 8 Reports, Year Plan and Budgets**

1. Annual Report of Independent Clubs shall consist of two parts, which are the Annual Functional Report and the Annual Financial Report.
2. Annual Functional Report, Half-Yearly Functional Report and Year Plan of each Independent

Club shall follow the format specified in the Appendices I and III of the By-law. Annual Financial Report and Financial Budget shall follow the Financial Regulation of the Association and the recommendations of the Finance Committee. **(Amended in 2015-2016 CM11)**

3. Executive committee members of Independent Clubs of previous session shall have the responsibility to elaborate on the discussion in their Annual Reports. If there is any ambivalence in their reports, the Council may refuse the adoption of the reports. **(Amended in 2015-2016 CM11)**
4. In order to assess the well-being of an Independent Club, the Council shall adopt the Annual Report of the Independent Club before discussing the Year Plan and the Financial Budget of the Independent Club. **(Amended in 2015-2016 CM11)**
5. All reports shall be submitted to the Council Honorary Secretary. **(Appended in 2010-2011 CM4)**
6. All Independent Clubs are required to submit
  - (a) the Annual Report, Year Plan and Financial Budget before the commencement of the First Council Meeting of the next session; and
  - (b) report(s) when requested by the Council. **(Appended in 2010-2011 CM4)**
  - (c) the Half-Yearly Functional Report by 30<sup>th</sup> June of the session **(Appended in 2011-2012 CM7)**
7. All Standing Committees of the Council are required to submit
  - (a) the Annual Report before the commencement of the First Council Meeting of the next session;
  - (b) the Half-Yearly Report by 7th September of the session; and
  - (c) report(s) when requested by the Council or the Council Chairperson. **(Appended in 2010-2011 CM4)**
8. All Committees ad hoc of the Council are required to submit
  - (a) a report to the Council upon completion of their commissioned business or within two weeks after the dismissal; and
  - (b) interim report(s) as requested by the Council or the Council Chairperson. **(Appended in 2010-2011 CM4)**
9. Ex-co members are required to submit
  - (a) the Annual Report before the commencement of the First Council Meeting of the next session;
  - (b) the Half-Yearly Report by 7th September of the session; and
  - (c) report(s) when requested by the Council. **(Appended in 2010-2011 CM4)**
10. Independent Clubs shall consult the Programme Committee if they have any amendments to the Year Plan before the commencement of the event, and may be required by the Programme Committee to hold an EGM to receive and adopt the amended Year Plan. **(Appended in 2011-2012 CM7)**

## **Article 9 Membership Forms and Lists (*Appended in 2015-2016 CM1*)**

1. All Independent Clubs shall submit the hard copies of membership forms, collected up to the end of the AGM, to the ICA Council Honorary Secretary within 336 hours (14 days) after the end of the AGM.
2. All Independent Clubs shall submit the hard copies of membership forms, collected from the end of the AGM of the previous session to the coming 31st July, to the ICA Council Honorary Secretary within the first 14 days of August of the same year. (***Appended in 2015-2016 CM11***)
3. All Independent Clubs shall submit the soft copies of the membership lists, updated to the end of the AGM, to the ICA Council Honorary Secretary within 336 hours (14 days) after the end of the AGM. (***Amended in 2015-2016 CM11***)
4. All Independent Clubs shall submit the soft copies of the membership lists to the ICA Council Honorary Secretary within the first 14 days of August in the next membership term. (***Appended in 2015-2016 CM11***)

## **Article 10 Bank Statements (*Appended in 2010-2011 CM4*)**

1. Ex-co is required to submit the photocopies of bank statements of all accounts of the Association, with the official chop of the Association and the signature of the Financial Secretary of the Association, for the period from the first day of February of the previous year to the last day of January of the current year to the ICA Council Honorary Secretary before the commencement of the First Council Meeting of the next session. (***Amended in 2015-2016 CM11***)
2. Independent Clubs are required to submit the photocopies of bank statements of all accounts of the Independent Club, with the official chop of the Independent Club and the signature of the Financial Secretary (or equivalent) of the Independent Club, for the period from the first day of February of the previous year to the last day of January of the current year to the ICA Council Honorary Secretary before the commencement of the First Council Meeting of the next session. (***Amended in 2015-2016 CM11***)

## **Article 11 Minutes of Council Meetings (*Appended in 2010-2011 CM4*)**

1. The Council Honorary Secretary shall be responsible for keeping in minutes of Council Meetings.
2. The minutes of Council Meeting shall include
  - (a) resolutions and motions of the meeting;
  - (b) defeated motions and amendments;
  - (c) comments or protests from members on a Council resolution or a ruling of the Council Chairperson and made immediately upon the resolution or ruling; and
  - (d) maiden speech and any written speech presented by a Councilor or an Official Observer.
3. The Council Honorary Secretary shall record a brief summary of arguments as he/she deems fit, and shall record the contribution of each speaker where possible.

4. The Council Honorary Secretary shall also record such material as instructed by the Council. No other records are obligatory.

**Article 12 Council Handbook (*Appended in 2010-2011 CM12*)**

1. The Council Handbook containing important information of the Council serves as a reference for Councilors and Official Observers.
2. The Council Handbook shall be updated whenever the Council Chairperson deems necessary.
3. The Council Handbook shall include the following documents:
  - (a) The Union Song
  - (b) Constitution of the Association
  - (c) By-law of the Council
  - (d) Financial Regulation of the Association
  - (e) Internal Regulation of the Association (Chinese Version)
  - (f) Internal Regulation of the Association (English Version)
  - (g) Affiliation Regulation of the Association
  - (h) Important Motions of the Council
  - (i) Standing Orders of the Union Council
  - (j) Internal Regulation of the Union
  - (k) Correspondence of all Councilors and Official Observers



## Appendix I

Following items shall be included in the Annual Functional Report and Half-Yearly Functional Report:

1. The aims being laid down in the Constitution of the Independent Club
2. The objectives being laid down in the Year Plan of the Independent Club of that session (if any)
3. The number of Full Members of the Independent Club
4. About each function:
  - (a) The exact date and duration
  - (b) The venue
  - (c) The time
  - (d) The target
  - (e) The number of participants (the number of executive committee members, full members and non-members shall be specified)
  - (f) The fee (if any)
  - (g) Charitable or not
  - (h) The content and nature
  - (i) The evaluation
5. About each publication:
  - (a) The date of distribution
  - (b) The target
  - (c) The quantity of publication
  - (d) The means of distribution
  - (e) The content and nature
  - (f) The evaluation
6. Official chop of the Independent Club and signatures

The Annual Functional Report shall be prepared by the executive committee member of the Independent Club and approved by the Chairperson (or equivalent) of the Independent Club of that session. The signatures of both of them shall be included. **(Amended in 2010-2011 CM12)**

## **Appendix II (*Repealed*)**

## **Appendix III**

The following items shall be included in the Year Plan:

1. The aims being laid down in the Constitution of the Independent Club
2. The objectives being laid down in the Year Plan of the Independent Club of that session (if any)
3. The expected number of Full Members of the Independent Club
4. About each function:
  - (a) The date or month of the function to be organized
  - (b) The venue
  - (c) The target
  - (d) The expected number of participants
  - (e) The fee (if any)
  - (f) Charitable or not
  - (g) The content and nature
5. About each publication:
  - (a) The date or the month of distribution
  - (b) The target
  - (c) The quantity of publication
  - (d) The means of distribution
6. Official chop of the Independent Club and signatures

The Year Plan shall be prepared by the executive committee member of the Independent Club and approved by the Chairperson (or equivalent) of the Independent Club of that session. The signatures of both of them shall be included. (***Amended in 2010-2011 CM12***)