

**CONSTITUTION**  
**Of**  
**Hong Kong University of Science & Technology Staff Association**

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**ARTICLE 1: NAME**

- 1 The name of the Association shall be “The Hong Kong University of Science and Technology Staff Association (HKUST Staff Association)” in English and " 香港科技大學教職員協會" in Chinese. Here after referred to as "the Association".

**ARTICLE 2: OBJECTIVES**

- 1 The objectives of the Association shall be:
  - 1.1 To promote social, cultural, and recreational activities among staff members of the University;
  - 1.2 To promote and protect the welfare of staff members of the University;
  - 1.3 To act as a communication link between the University and its staff members, but exclude any objectives of a Trade Union as listed in the “Trade Unions Ordinance”.

**ARTICLE 3: MEMBERSHIP**

- 1 The Association shall consist of the following types of membership:
  - 1.1 Full Members;
  - 1.2 Associate Members; and
  - 1.3 Honorary Members.
- 2 All full-time staff members of the Hong Kong University of Science & Technology, who work for the University on a full-time status at the time of submitting the application for membership, shall be eligible for application for Full Membership. The Full Membership of the Association shall expire automatically upon leaving of the full-time employment

with the University unless otherwise approved by the Executive Committee of the Association. Full members shall have, subject to the regulations contained herein, the right to vote and to be elected in respect of such committee or group as the Association may form from time to time, and to enjoy all activities, facilities and services run by the Association.

- 3 All members of the Hong Kong University of Science & Technology other than full-time staff members, including visitors and consultants associated with the University, and part-time staff members, as well as friends of the University or the Association, shall be eligible for Associate Membership. Associate Members shall have, subject to the regulations contained herein, the right to enjoy all activities, facilities and services run by the Association but not the right to vote and to be elected in respect of any committee of the Association.
- 4 Honorary Membership would be conferred by the Association upon such persons as the Association may determine by resolution. Honorary Members shall have, subject to the regulations contained herein, the right to enjoy all activities, facilities and services run by the Association but not the right to vote and to be elected in respect of any committee of the Association.
- 5 Full Members and Associate Members shall pay to the Association an annual membership fee at rates to be stipulated at the most recent General Meeting.
- 6 Any person seeking to become a member of the Association shall make application to the Honorary Secretary of the Association.
- 7 All the applications for membership should be determined and approved by the Executive Committee.

#### **ARTICLE 4: THE MEETINGS**

- 1 An Annual General Meeting, being a general meeting of Full Members, shall be held not later than 31<sup>st</sup> day of June in every year for the purpose of receiving the report of the Executive Committee, of examining the accounts of the previous financial year, of announcing the result of the elections for the Executive Committee, or in default of a postal ballot, of electing the Executive Committee and of transacting general business.
- 2 An Extra-ordinary General Meeting may be convened either on the requisition in writing of not fewer than 10 full members, addressed to the Honorary Secretary, or by the decision of the Executive Committee.
- 3 At least 14 days' specifying the place, the date and the hour of meeting and the agenda shall be given for all general meetings to every member of such meetings.
- 4 No business shall be transacted at any general meeting unless a quorum of at least 10% or thirty (which ever is greater) of the voting members of the Association is present at the time when the meeting proceeds to business. If a quorum is not present after an hour of the time scheduled for the commencement of the General Meeting, the Meeting shall be adjourned to the same day in the following week, and if at that Meeting, a quorum is still not present, all full members present thereat shall form a quorum.
- 5 The Association may transact any of its business by circulation of papers, and unless 10 members in writing request the Chairman to refer any particular item of the business being transacted to the next General Meeting of the Association, a resolution in writing which is approved in writing by a majority of the members shall be as valid and effectual as if it had been passed at a General Meeting of the Association.

- 6 The Chairman, or in his absence the Vice-Chairman, shall preside as chairman in full capacity at every General Meeting, Executive Committee Meeting, or any other meetings of the Association. If at any meeting the Chairman or Vice-Chairman shall not be present within fifteen minutes after the time appointed for holding the meeting, one of the members of the Executive Committee shall preside, or if no Executive Committee Member is present or willing to take chair, the members present shall choose one of their members to take the chair. For any meeting that the Chairman or a Staff Association representative attends on behalf of the Association, should the Chairman or Staff Association representative be not available, the Executive Committee shall appoint one of the members of the Executive Committee to act on behalf of the Chairman and represent the Association in that meeting.
- 7 Members may vote by proxy at General Meetings. In the case of an equality of votes, the Chairman of the meeting shall be entitled to a second or casting vote.
- 8 The Executive Committee may meet to consider the Association's business provided that at least 5 members thereof shall be present.
- 9 The Association shall have the power to decide its own procedure at its meetings.

#### **ARTICLE 5: THE EXECUTIVE COMMITTEE**

- 1 There shall be an Executive Committee composed of 4 officers, namely the Chairman; the Vice-Chairman; the Honorary Secretary; and the Honorary Treasurer, and 8 other Executive Members who are full members of the Association to assist the Chairman in the administration of the Association.
- 2 Without prejudice to its other power, the Executive Committee may appoint any member of the Association to fill any vacancy resulting from resignation or absence of any officer or Executive Member due to disability or physical absence of more than two months provided that such appointment shall automatically terminate at the Annual General Meeting immediately following the occurrence of such vacancy.
- 3 The affairs of the Association shall be conducted and managed by the Executive Committee, subject to the regulations or provisions prescribed by the Association in General Meetings.
- 4 The Executive Committee shall have the power to co-opt at a maximum of 5 additional members for such purposes or period as the Executive Committee may determine. Any person so co-opted shall have the same rights and privileges as if he had been elected in accordance with Article 6 provided that notice of every co-option shall be communicated to the Association's members in such manner as the Executive Committee may determine.
- 5 The Executive Committee may by resolution delegate its duties to its committees having such composition and terms of reference as maybe specified in such resolution, provided that no decision or recommendation of such Committee shall have effect unless approved by a further resolution of the Executive Committee.

#### **ARTICLE 6: ELECTIONS**

- 1 Election of the Executive Committee shall be on a yearly basis.
- 2 Nominations for members to be elected to the Executive Committee shall be made in writing on a form supplied by the Honorary Secretary before the Annual General Meeting.

Each nomination shall have the support of a Proposer (who can propose more than one person to the Executive Committee) and Seconder and the consent of the nominee. Nomination forms must be returned to the Honorary Secretary at least 7 days before the Annual General Meeting. Ballot forms will be sent to members at least 7 days before the Annual General Meeting and the result of the election will be announced at the Annual General Meeting.

- 3 Election of the Executive Committee shall be in the form of a cabinet comprising at least the 4 officers at time of the election.
- 4 In the event of no nominations or insufficient nominations being received before the Annual General Meeting, the elections shall take place at the Annual General Meeting.
- 5 In the event of no new Executive Committee to hold the office for the next term, an Interim Governing Committee comprising of at least two Executive Members of the last Executive Committee plus at least one Full Member may be formed to oversee the essential operation of the Association until a new Executive Committee is to be elected into office or the date of the next AGM whichever comes earlier.
- 6 The Executive Committee shall choose from amongst the elected members the Chairman, the Vice-Chairman, the Honorary Secretary, and the Honorary Treasurer.
- 7 Where there are two or more nominated cabinets for an election, the nominated cabinet with higher number of votes shall be declared elected.
- 8 Each ballot paper returned to the Honorary Secretary shall be retained by him 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.

#### **ARTICLE 7: REFERENDUM**

- 1 A resolution passed by a Referendum shall possess the same authority as that of a General Meeting. Such resolution passed can only be revoked by a subsequent Referendum or a General Meeting.
- 2 The Executive Committee or a General Meeting may refer any question to Full Members for determination by a Referendum, and shall thereafter be bound to act in accordance with the result of such Referenda in accordance with the provisions of this Constitution.
- 3 The Executive Committee shall give not less than five consecutive clear days' notice of a Referendum, such notice to be given in the same manner as the notice for a General Meeting. The question to be referred to a Referendum shall be put in the form of a resolution and Full Members shall be requested to vote for or against the motion. In the event of a Referendum in a resolution being put to Full Members by a General Meeting, the result of the Referendum shall have the same effect as a resolution carried or defeated at a General Meeting as the case maybe.
- 4 Voting at a Referendum shall be by secret ballot and shall take place on the appointed day from 11 a.m. to 6 p.m. Each Full Member shall have one vote. Votes shall be counted immediately after the close of balloting. At the conclusion of the counting of votes the result shall immediately be declared by the Executive Committee.

#### **ARTICLE 8: VACATION OF OFFICES**

- 1 Any elected office bearer of the Association may at any time resign from office by giving written notice to the Executive Committee.

- 2 Any elected officer or Executive Committee member of the Association maybe removed from office by a vote of no-confidence passed by a two-thirds majority at a General Meeting of Full Members.

#### **ARTICLE 9: SUBSCRIPTIONS**

- 1 At any General Meeting, the Association may approve the amount of the annual subscription to be payable by all members.

#### **ARTICLE 10: FINANCIAL RULES**

- 1 The funds of the Association shall only be applied to settle daily expenses and the activities as organized by the Association for objectives as stipulated in Article 2.
- 2 The Association shall maintain a separate banking account, named “The Hong Kong University of Science and Technology Staff Association (HKUST Staff Association) and 「香港科技大學教職員協會」(香港科大教職員協會) in Chinese.
- 3 Cheques drawn on this account shall be signed by either two of the Honorary Treasurer, the Honorary Secretary, and the Chairman.
- 4 All expenditure exceeding \$500 shall be authorized 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.
- 5 All money paid to the Association shall be received by the Honorary Treasurer who shall issue a receipt for each payment and shall pay the amount received into the Association’s banking account.
- 6 Officers or other persons authorized by the Executive Committee may issue an official receipt for a payment, but money so obtained must be paid to the Honorary Treasurer as soon as possible, who shall then countersign the counterfoils of the receipt book.
- 7 The Honorary Treasurer shall keep an account book in which he shall enter details of expenditure or monies received along with the corresponding receipt reference for each transaction.
- 8 At each Annual General Meeting, or at a General Meeting, an auditor, who shall not be a member of the Executive Committee, shall make a report to the members on the accounts examined by him, and shall state whether, in his opinion a true and fair view is given, (a) in the case of the balance sheet, of the state of the Association’s affairs as at the end of its financial year; and (b) in the case of the income and expenditure account, of the Association’s surplus or deficit of income over expenditure for its financial year.

#### **ARTICLE 11: AMENDMENT OF CONSTITUTION**

- 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 members present at such meeting and who vote upon such proposed amendment.
- 2 Written notice of any proposed amendment to this Constitution shall be sent to members at least 7 days before the date fixed for such General Meeting.
- 3 Every amendment of this Constitution shall take effect and be binding upon every member immediately upon passing of any resolution.

- 4 The terms of any proposed amendment may be varied or added to at such General Meeting and if resolved upon shall be immediately effective and binding upon every member notwithstanding the fact that notice of such amendment in its revised form has not been given in accordance with Article4 hereof.
- 5 Not later than one month after such General Meeting the Honorary Secretary shall send to every member a copy of every resolution passed at such meeting and a copy of this Constitution in its amended form.
- 6 No amendment to the Constitution of the Association shall become effective except with the prior approval in writing by the authority responsible for the registration of the Association.
- 7 Determination of this Constitution shall base on the English version of the Constitution.

#### **ARTICLE 12: DISSOLUTION**

- 1 In case the Association should dissolve it shall be approved by the General or Extraordinary General Meeting and assented to by over half of members of the Association.
- 2 Upon dissolution, all properties of the Association will be disposed for cash. Any surplus/deficit resulted from the dissolution will be donated to a local recognized charity as decided upon by the members of the Association at a General Meeting.

5 June 2008

# 香港科技大學教職員協會

## 會章

## 目錄

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### 第1 條：定名

- 1 本會定名為(英文) The Hong Kong University of Science and Technology Staff Association (HKUST Staff Association)，(中文) 香港科技大學教職員協會，以下簡稱本會。

### 第2 條：目的

- 1 本會目的為：
  - 1.1 促進大學教職員的社交、文化及康樂活動；
  - 1.2 促進及維護大學教職員的福利；及
  - 1.3 作為大學與教職員之間的溝通橋樑，但不包括任何列於[職工會條例]內的目的。

### 第3 條：會籍

- 1 本會會籍分為以下幾類：

- 1.1 會員；
  - 1.2 附屬會員；及
  - 1.3 名譽會員。
- 2 凡於遞交申請時獲香港科技大學聘請及接受為有效全職教職員，均有資格申請成為會員。本會會員的會籍，將於該會員離開大學全職聘約時自動完結，除非經由本會執行委員會(執委會)另行批准，則另作別論。根據本會章所載的規例，會員有選舉及被選為執委會或本會不時設立轄下委員會及小組成員的權利，並且有權享用本會提供的全部活動、設施與服務。
  - 3 香港科技大學全職教職員以外的全體教職員，包括訪問人士及與大學有關連的顧問、及兼職教職員以及大學或本會友好，均有資格成為附屬會員。根據本會章所載的規例，附屬會員有權享用本會提供的全部活動、設施與服務，但不享有選舉及被選為本會轄下任何委員會成員的權利。
  - 4 名譽會員的榮譽，由本會通過決議後頒授予個別人士。根據本會章所載的規例，名譽會員有權享用本會提供的全部活動、設施與服務，但不享有選舉及被選為本會轄下任何委員會成員的權利。
  - 5 會員及附屬會員須向本會繳交年費，數額以最近一次全體大會上的決定為準。
  - 6 任何人士擬成為本會會員，須向本會名譽秘書提出申請。
  - 7 全部成為會員的申請，均由執委會決定是否接納及作出批准。

#### 第4 條：會議

- 1 週年全體大會為正式會員的全體大會，須於每年6月30日或之前召開，以接收執委會的報告、審查上一財政年度的帳目、宣佈執委會選舉的結果，或於缺乏郵遞第10頁選票的情況下選出執委會及處理一般事務。
- 2 臨時全體大會的召開需於執委會決定下，或經不少於10名會員以書面向名譽秘書提出。
- 3 凡召開全體大會，均須給予每名會員最少14日通知，列明開會地點、日期、時間及議程。
- 4 除非於召開會議時有本會最少10%或30名投票會員(以較高數字為準)出席組成法定人數，否則，不得在任何全體大會上處理事務。如於擬召開會議時間之後一小時內仍無法達到法定人數，則以出席的全體會員為法定人數。
- 5 本會可以傳閱文件方式處理任何事務。除非有10名會員以書面要求主席把擬處理的任何一項事務交由本會下一次全體大會處理，否則，經由多數會員以書面支持的書面決議即屬有效，等同本會全體大會通過的決議。
- 6 主席，或於其缺席下副主席，將全權並充當出任每次本會全體大會、執委會、或其他本會會議的主席。如於預定開會時間後15分鐘內仍未見主席或副主席到場出席，執委會其中一位成員須出任會議主席。又如未有任何執委會成員到場出席或願意出任會議主席，出席會員須自行推選其中一人出任主席。若有任何會議，主席或教職員協會代表未能出席代表本會，執委會可委派其中一位執委會成員全權充當主席代表本會出席會議。

- 7 會員可於全體大會上派代理人投票。如出現票數相同的情況，大會主席有權投第2 票或決定票。
- 8 執委會可召開會議商討本會事務，但須最少有5 名成員出席。
- 9 本會有權決定會議的程序。

## 第5 條：執行委員會

- 1 執委會有職員4 名，即主席、副主席、名譽秘書及名譽司庫，另有8 名其他執委，須全部為本會會員，協助主席處理會務。
- 2 在不影響其他權力之下，執委會可委任本會任何會員填補任何因辭職或職員或執委因缺陷或實際缺席超過2 個月而出現的空缺，但該任命須於出缺後召開的全體大會上自動結束。
- 3 本會會務由執委會按照規例或本會在全體大會上作出的決定進行及處理。
- 4 執委會有權增選最多5 名額外成員，其作用或任期得由執委會決定。凡獲增選的人士可享如同根據第6 條當選者所享的相等權利與特權，但每次增選均須以執委會決定的形式通知本會會員。
- 5 執委會可決議派任其職務給轄下委員會，其組成及職權範圍可在決議中指明，但除非已獲執行委員會進一步決議及批准，否則該項決定或推薦不能生效。

## 第6 條：選舉

- 1 執委會每年選舉一次。
- 2 凡提名選舉執委會成員，均須於週年全體大會前以書面向名譽秘書提出。每一份提名須有提名人(可提名超過一名會員出任執委)、和議人及獲提名人的同意。提名表格必須於週年全體大會前最少7 日交回名譽秘書。投票表格將於週年全體大會前最少7 日送交各會員，而選舉結果將於週年全體大會上宣佈。
- 3 選舉執委會以組閣形式進行，參選時其成員須最少包括4 名職員。
- 4 如於週年全體大會前未收到提名或提名不足，即須於週年全體大會上進行選舉。
- 5 如無新執委會執行本會會務或出任下屆職位，可組成最少有兩名上屆執委會執委加最少一名會員的臨時管理委員會，以監理必須的會務事宜，直至選出新執委會或下次週年全體大會的會期(以較早日期為準)。
- 6 執委會須於當選執委中選出主席、副主席、名譽秘書及名譽司庫。
- 7 如提名2 個內閣或以上，獲得較多票的內閣將獲宣佈當選。
- 8 每份交回名譽秘書的選票均須於週年全體大會後保留不少於4 星期，並且可讓該次會議的任何參選者查閱。

## 第7 條：覆決投票

- 1 覆決投票通過的決議享有等同全體大會通過的權力，只能由隨後進行的覆決投票或全體大會撤回。
- 2 執委會或全體大會可向會員提出任何問題，交由覆決投票決定，其後亦必須根據本

會章的規定按照覆決投票的結果行事。

- 3 執委會必須於進行覆決投票時給予不少於連續5 整日的通知，而提出該通知的形式與召開全體大會的通知相同。提出供覆決投票的問題須以決議形式撰寫，會員會獲邀投票支持或反對，如於全體大會向會員以決議形式提出覆決投票，該覆決投票的結果享有等同全體大會通過或否決決議的效力，視情況而定。
- 4 覆決投票以不記名方式進行，於訂定日期上午11 時至下午6 時進行。每名會員均有一票。投票結束後會立即點票。點票完畢時，執委會須立即宣佈結果。

## 第8 條：空出職缺

- 1 凡當選的本會職員，均可於其任期內任何時間給予執委員通知而辭職。
- 2 凡當選的本會職員或執委，均可經會員全體大會三分二多數通過的不信任投票而被撤職。

## 第9 條：會費

- 1 本會可在任何全體大會上批准全體會員須繳交的年費。

## 第10 條：財務規則

- 1 本會款項只能用以支付日常開支及本會為第2 條所定目的而舉辦的活動費用。
- 2 本會須開設獨立銀行帳戶，戶名為「香港科技大學教職員協會」(The Hong Kong University of Science and Technology Staff Association) 或「香港科大教職員協會」(HKUST Staff Association of HKUST) 。
- 3 該帳戶的支票須由名譽司庫、名譽秘書及主席當中兩人簽署。
- 4 凡超過500 元的開支，均須由執委會預先授權，除非於急切或有必需時無法實行則另議。如有該情況，則應向執委會提交報告。
- 5 凡付給本會的款項均由名譽司庫收取，就每次付款開出收據，並且把收得款項存入本會銀行帳戶。
- 6 執委會職員或其他獲授權人士可就付款發正式收據，但所接收的款項必須盡早交給名譽司庫，由名譽司庫在收據簿存根上聯署。
- 7 名譽司庫須保存一本帳簿，記錄開支或收得款項的詳情，並註明每項帳目的相關收據編號。
- 8 於每次週年全體大會或一次全體大會上，由非執委會成員出任的一名稽核人須就其審核的帳目向會員提出報告，就帳目是否真實及公平提出其意見，(a)有關資產負債表，則顯示該財政年度結束時本會的狀況；(b)有關收支結算表，則顯示本會於該財政年度的開支盈餘或能損。

## 第11 條：修改會章

- 1 1. 本會會章可於任何會員大會以不少於出席該大會人數二分一的多數投票通過決議而作出修改。
- 2 訂出召開該全體大會日期前最少7 日，必須以書面通知會員建議的修改會章項目。
- 3 任何修改項目一俟通過決議，均立即生效，對每一會員均具約束力。
- 4 任何建議修改的用詞均可在該全體大會上更改或加入，如通過決議，則儘管該項再經改動的修改並未依照本條第4 項給予通知，仍會立即生效，並對每一會員均具約束力。
- 5 於全體大會後不超過一個月內，名譽祕書須發給每名會員一份會議上通過的每項決議，以及一份已修改的會章。
- 6 除非獲得負責本會註冊事宜的機關事先書面批准，否則，本會會章的修改項目不能生效。
- 7 本會會章以英文版本為準。

## 第12 條：解散

- 1 如解散本會，須經全體大會或臨時全體大會批准，並獲得本會過半會員同意。
- 2 解散後，本會全部財物會變賣成現金。任何解散後計算所得的盈餘/虧損，一律捐給由本會會員在全體大會上決定的本地認可慈善機構。

2008 年6 月 5 日