

# **The Constitution of Hong Kong University Students' Union Independent Clubs Association**

## ***Enactment History***

***1st March 2010 [CM1] Amended***

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

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## ***Section I Terminology (Amended in 2010-2011 CM12)***

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

Term	Meaning
“Association”	“Hong Kong University Students’ Union Independent Clubs Association”
“Union”	“Hong Kong University Students’ Union”
“Union Council”	“Hong Kong University Students’ Union Council”
“Independent Club(s)”	“The club(s) affiliated to the Union through the Association”
“ICA Council”	“Hong Kong University Students’ Union Independent Clubs Association Council”
“ICA Councilor(s)”	“ICA Council Chairperson; ICA Council Honorary Secretary; Past President; ICA 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) of ICA Council”	“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”
“Ex-co”	“Executive Committee of the Association”
“Constitution Review Committee”	“Constitution Review Committee of ICA Council”
“Disciplinary Committee”	“Disciplinary Committee of ICA Council”
“Finance Committee”	“Finance Committee of ICA Council”
“Programme Committee”	“Programme Committee of ICA Council”
“AGM”	“Annual General Meeting of the Independent Club(s)”
“EGM”	“Extraordinary General Meeting of the Independent Club(s)”

## **Section II General**

### **Article 1 Name**

The name of the Association shall be “Hong Kong University Students’ Union Independent Clubs Association”, abbreviated as “ICA, HKUSU”. **(Amended in 2010-2011 CM1)**

### **Article 2 Membership**

All clubs affiliated to the Union other than Faculty Societies, Hall Associations, Cultural Clubs, Sports Clubs and Academic Societies affiliated through the respective Faculty Societies, shall comprise the Association.

### **Article 3 Authority**

The highest authority of the Association shall be the ICA Council.

### **Article 4 Aims**

The aims of the Association shall be:

- I. to promote the activities and welfare of the Independent Clubs among members of the Union;
- II. to encourage the Independent Clubs to organize activities and welfare among members of the Union and the general public; and
- III. to foster mutual understanding among the Independent Clubs.

### **Article 5 Official Language**

- I. Chinese and English shall be the official languages of the Association, enjoying equal status;
- II. Either or both languages may be used in official meetings and official documents. Chinese, in its oral form, shall mean Cantonese dialect and Mandarin.

### **Article 6 Session**

- I. The session of Association shall commence at the beginning of the First ICA Council Meeting and terminate at the moment preceding the commencement of the First ICA Council Meeting of next session.
- II. The session of the ICA Council Chairperson, ICA Council Honorary Secretary, and each Ex-co member will terminate when the new ICA Council Chairperson, ICA Council Honorary Secretary, each Ex-co member are elected in the First ICA Council Meeting of the next session; otherwise, their session will terminate by the closing of the First ICA Council Meeting of the next session.

### ***Section III Hong Kong University Students' Union Independent Clubs Association Council***

#### **Article 1 Name**

The name of the organization formed under this section shall be "Hong Kong University Students' Union Independent Clubs Association Council".

#### **Article 2 Functions**

The functions of the ICA Council shall be:

- I. to represent the Independent Clubs in such matters as affecting their interests;
- II. to afford a recognized means of communication, as well as to promote mutual understanding among the Union, the Ex-co and the Independent Clubs;
- III. to formulate the policy which will affect the Association and the Independent Clubs;
- IV. to supervise the Ex-co and the Independent Clubs so as to prevent them from acting contrary to this Constitution; and
- V. to keep vigilance on the Ex-co and the Independent Clubs so as to secure a satisfactory degree of functioning.

#### **Article 3 Composition**

- I. The ICA Council Chairperson
- II. The ICA Council Honorary Secretary
- III. The Past President
- IV. Four ICA Council Past Representatives (***Amended in 2010-2011 CM1***)
- V. The President
- VI. The Internal Vice President
- VII. The External Vice President
- VIII. The General Secretary
- IX. The Financial Secretary
- X. Two Programme Secretaries (***Amended in 2010-2011 CM12***)
- XI. The Publications and Publicity Secretary
- XII. The Representative of each Independent Club

#### **Article 4 ICA Council Chairperson**

- I. The ICA Council Chairperson shall be elected at the First ICA Council Meeting of each session from the ICA Councilors and Official Observers of ICA Council of the previous session, being Union Full Members, except the President of the previous session. In case the ICA Council Chairperson so elected is an ICA Councilor or an Official Observer of ICA Council of the current session, he/she shall resign from the original representation in the ICA Council and his/her representation shall be substituted. ***(Amended in 2010-2011 CM12)***
- II. The ICA Council Chairperson shall take the chairmanship at all meetings of the ICA Council.
- III. In the absence of the ICA Council Chairperson, an ICA Councilor or an Official Observer of ICA Council shall be appointed to take the chairmanship for that particular ICA Council Meeting. ***(Amended in 2010-2011 CM12)***
- IV. The ICA Council Chairperson shall resign only with a motion carried with a two-thirds majority in the ICA Council Meeting.

#### **Article 5 ICA Council Honorary Secretary**

- I. The ICA Council Honorary Secretary shall be elected at the First ICA Council Meeting.
- II. The ICA Council Honorary Secretary shall prepare all minutes of the ICA Council Meetings and shall have full speaking right as an information provider but shall not vote.
- III. The ICA Council Honorary Secretary shall be in charge of the annual election.
- IV. In case of the absence of the ICA Council Honorary Secretary, an ICA Councilor or an Official Observer of ICA Council shall be appointed as the Honorary Secretary for that particular ICA Council Meeting and shall be responsible to prepare the minutes of that meeting, whilst retaining his/her original right to vote if he/she is an ICA Councilor. ***(Amended in 2010-2011 CM1)***
- V. ICA Council Honorary Secretary shall resign only with a motion carried with a two-thirds majority in the ICA Council Meeting.

#### **Article 6 Past President**

The Past President shall be the President of the previous session, who shall give advice to all matters concerning the Association.

#### **Article 7 ICA Council Past Representatives**

The ICA Council Past Representatives, who shall give advice to all matters concerning the Association, shall be elected at the First ICA Council Meeting. ***(Amended in 2010-2011 CM12)***

#### **Article 8 Executive Committee**

- I. Ex-co members shall be the ICA Councilors and shall enjoy full right to speak, to vote and to move or second motions.

- II. Acting Ex-co members shall be Official Observers of ICA Council and shall enjoy speaking right but not the right to vote and to move or second motions.

### **Article 9 Representatives of the Independent Clubs**

- I. The Representative of each Independent Club shall be the executive committee member of corresponding Independent Clubs of the current session.
- II. The Representatives of Independent Clubs shall represent the interest of their corresponding Independent Clubs in the ICA Council. **(Amended in 2010-2011 CM1)**
- III. Representative of each fully affiliated Independent Club shall be the ICA Councilor and shall enjoy the full right to speak, to vote and to move or second motions.
- IV. Representative of each partially affiliated Independent Club shall be the Official Observer of ICA Council and shall enjoy speaking right but not the right to vote and to move or second motions.

### **Article 10 Representation**

The ICA Council Honorary Secretary shall be informed before the commencement of corresponding Council Meeting of any change of representatives in the ICA Council.

### **Article 11 Business**

- I. To receive, consider, approve, or approve under amendment(s) the Annual Budget Estimates of the Association presented by the Finance Committee before they are presented to the Union Council.
- II. To consider any protest and alleged infringements of constitutions and by-laws. Such matters may be placed before the ICA Council in which decision shall be final.
- III. To receive and adopt, from time to time, reports from the Standing Committees and Committees ad hoc of the ICA Council. **(Amended in 2010-2011 CM12)**
- IV. To frame By-law of the ICA Council.
- V. To frame the Internal, Financial and Affiliation Regulation of the Association. **(Amended in 2010-2011 CM12)**
- VI. To monitor the functioning of Independent Clubs and to receive and adopt, from time to time, reports from the Independent Clubs.
- VII. To appoint the members of the Standing Committees.
- VIII. To receive the resignation of the ICA Council Chairperson, ICA Council Honorary Secretary, ICA Council Past Representatives and the Ex-co members.
- IX. To elect a representative from the current Ex-co to represent the Association in the Union Council, if necessary.
- X. To receive and adopt the Annual Reports, Year Plans and Financial Budgets of Independent Clubs; and Annual Reports and Half-yearly Reports of the Standing Committees and the Ex-co. **(Amended in 2010-2011 CM12)**

- XI. To frame Committees ad hoc and convey authority or part thereof, as may deemed necessary.  
***(Appended in 2010-2011 CM1)***

## **Article 12 Meeting**

- I. The ICA Council shall meet at least half yearly each session.
- II. Meetings of the ICA Council shall be convened by the ICA Council Chairperson at the request of the President of the Association, or at the request of any member of the ICA Councilors seconded by one-fifth of the ICA Councilors.
- III. At any ICA Council Meeting, no less than 50% of the voting members of the ICA Council shall form a quorum (including the ICA Council Chairperson and the ICA Council Honorary Secretary).
- IV. Unless the ICA Council shall decide, all meetings of the ICA Council shall be open for all members of the Union to attend. Members so attending shall be permitted to speak with the approval of the ICA Council Chairperson and shall not vote. ***(Amended in 2010-2011 CM1)***
- V. A notice of all ICA Council Meetings and the agenda thereof shall be released 120 hours (five days) in advance. Such notices and agenda shall be sent to all ICA Councilors and Official Observers of ICA Council. ***(Amended in 2010-2011 CM12)***
- VI. An Emergency Council Meeting of the ICA Council shall be convened by the ICA Council Chairperson, or at the request of the President of the Association, or at the request of any member of the ICA Councilors seconded by one-fifth of the ICA Councilors. A notice of such meeting and the agenda thereof shall be released 24 hours beforehand. Such notice and agenda shall be sent to all ICA Councilors and Official Observers of ICA Council. Any such requisition shall specify object of the proposed meeting and no other matter shall be discussed without the consent of at least two-thirds of the members present. ***(Amended in 2010-2011 CM12)***
- VII. The First ICA Council Meeting shall be held within the first seven days of March each year. All ICA Councilors and Official Observers of ICA Council of the previous session shall enjoy full speaking right but not voting right at the First ICA Council Meeting. A Returning Officer from the Union Council shall be invited by ICA Council Chairperson through the President to the First ICA Council Meeting. In the First ICA Council Meeting, following agenda shall be included: ***(Amended in 2010-2011 CM12)***
  - i. To receive the maiden speeches delivered by new ICA Councilors and Official Observers of ICA Council
  - ii. To receive and adopt the Annual Reports of Ex-co members
  - iii. To receive and adopt the Annual Reports of ICA Council Standing Committees
  - iv. To elect the new Ex-co members
  - v. To elect the new ICA Council Past Representatives
  - vi. To elect the new ICA Council Honorary Secretary

vii. To elect the new ICA Council Chairperson

VIII. The Union Song shall be sung at the beginning of each ICA Council Meeting. (***Appended in 2010-2011 CM12***)

### **Article 13 Vote of Confidence**

The ICA Council Chairperson, ICA Council Honorary Secretary, Past President, ICA Council Past Representatives and any Ex-co member who cease to be an Union Full Member during his/her term of office in a session shall hold office till the end of that session upon a vote of confidence with a two-thirds majority in the ICA Council Meeting. (***Amended in 2010-2011 CM1***)

### **Article 14 Vote of No-Confidence**

A vote of no-confidence for infringement of the Constitution, negligence of duties, or unbecoming conduct may be moved against the ICA Council Chairperson, ICA Council Honorary Secretary, the Ex-co, or individual Ex-co member at an Emergency Council Meeting held specifically for the purpose, the person(s) concern shall be terminated from his/her/their office once the motion is passed with a two-thirds majority in the ICA Council Meeting.



## **Section IV ICA Council Standing Committees**

### **Article 1 General**

- I. The ICA Council Standing Committees shall act as the advisory and supervisory body responsible to the ICA Council.
- II. Each Standing Committee shall submit an Annual Report before the commencement of the First Council Meeting of the next session and a Half-yearly Report by 7th September of the session to the ICA Council. **(Amended in 2010-2011 CM12)**
- III. The simple majority of the members of the Standing Committees shall form the quorum.
- IV. All members of Standing Committees shall be appointed at the second ICA Council Meeting and their term-of-office shall terminate with ICA Council.
- V. In case of any vacancies in the Standing Committees, the member shall be appointed in the subsequent meetings.
- VI. A notice of all Standing Committee meetings and the agenda thereof shall be released 72 hours (three days) in advance. Such notices and agenda shall be sent to all members of the Standing Committee, ICA Councilors and Official Observers of ICA Council. The notice of an Emergency Committee Meeting and the agenda thereof shall be released as soon as possible. **(Appended in 2010-2011 CM12)**
- VII. No substitution of members of Standing Committees shall be allowed in any committee meeting. **(Appended in 2010-2011 CM12)**

### **Article 2 Constitution Review Committee**

- I. Membership **(Amended in 2010-2011 CM12)**
  - i. The ICA Council Chairperson shall be the ex-officio chairperson;
  - ii. The ICA Council Honorary Secretary shall be the ex-officio secretary, enjoying full speaking right but not voting right;
  - iii. The President;
  - iv. Past President;
  - v. One ICA Council Past Representative; and
  - vi. Three non-executive ICA Councilors (except ICA Council Past Representatives).
- II. Function
  - i. To keep a regular review of the structure and organization of the Association including the Independent Clubs, the ICA Council and its Standing Committees, and to make necessary recommendations to the ICA Council;
  - ii. To review the Constitution and regulations of the Association, the By-law of ICA Council, as well as all constitutions of Independent Clubs; **(Amended in 2010-2011 CM12)**

- iii. All constitution revisions of the Independent Clubs shall be submitted to the Constitution Review Committee for consultation before being presented to the Union Council Constitution Review Committee and the respective General Meetings for final approval;
  - iv. To advise the constitution of Independent Clubs; and
  - v. To advise the ICA Council on all matter concerning the affiliation and disaffiliation of Independent Clubs.
  - vi. To consider the alleged infringement of constitutions and regulations of the Union, the Association and the Independent Clubs, as well as to advise the ICA Council on such matter. **(Appended in 2010-2011 CM12)**
- III. Content shall be included in the Annual Report to ICA Council
- i. A summary of work for the corresponding session;
  - ii. The attendance of each committee member; and
  - iii. Recommendation to the ICA Council.

### **Article 3 Disciplinary Committee**

- I. Membership **(Amended in 2010-2011 CM12)**
- i. The Internal Vice President shall be the ex-officio chairperson;
  - ii. The ICA Council Honorary Secretary shall be the ex-officio secretary, enjoying full speaking right but not voting right;
  - iii. One ICA Council Past Representative;
  - iv. One member of the current Ex-co;
  - v. Two non-executive ICA Councilors (except ICA Council Past Representatives);
  - vi. One Independent Clubs' executive committee member of the current session; and
  - vii. One Independent Clubs' member.
- II. Function
- i. To give advice to the ICA Council on all disciplinary matters concerning the Independent Clubs, the Ex-co and all other posts stipulated in Section III Article 3; **(Amended in 2010-2011 CM12)**
  - ii. To issue letter of warning to Independent Clubs which violate the Internal Regulation of the Union, and/or that of the Association; and
  - iii. To look into complaints on the activities and functioning of Independent Clubs and Ex-co.
  - iv. **(Repealed in 2010-2011 CM12)**
- III. Content shall be included in the Annual Report to ICA Council
- i. Details of the disciplinary cases;
  - ii. Statistics of warning letters;
  - iii. Statistics of Council Meetings attendance of ICA Councilors and Official Observers of ICA Council; **(Amended in 2010-2011 CM12)**

- iv. Statistics of complaints;
- v. The attendance of each committee member; and
- vi. Recommendation to the ICA Council.

#### **Article 4 Finance Committee**

##### **I. Membership (*Amended in 2010-2011 CM12*)**

- i. The Financial Secretary shall be the ex-officio chairperson;
- ii. One ICA Council Past Representative;
- iii. One member of the current Ex-co (preferably the Programme Secretary);
- iv. Two non-executive ICA Councilors (except ICA Council Past Representatives);
- v. Two Independent Clubs' executive committee members of the current session; and
- vi. One Independent Clubs' member.

##### **II. Function**

- i. To serve as an advisory body to the ICA Council on financial matters;
- ii. To supervise the Independent Clubs on matters concerning finance and accounting procedures;
- iii. To supervise all fundraising activities of the Independent Clubs;
- iv. To scrutinize the Financial Budgets of the Ex-co and Independent Clubs; and (*Amended in 2010-2011 CM12*)
- v. To review the Annual Financial Reports of the Ex-co and Independent Clubs.
- vi. (*Repealed in 2010-2011 CM12*)

##### **III. Content shall be included in the Annual Report to ICA Council**

- i. A summary of work for the corresponding session;
- ii. A report of the unspent balance of the Union subsidy of the Independent Clubs;
- iii. The attendance of each committee member; and
- iv. Recommendation to the ICA Council.

#### **Article 5 Programme Committee**

##### **I. Membership (*Amended in 2010-2011 CM12*)**

- i. Two Programme Secretaries, in which one of them shall be appointed to be the chairperson in the ICA Council;
- ii. One ICA Council Past Representative;
- iii. One member of the current Ex-co;
- iv. Two non-executive ICA Councilors (except ICA Council Past Representatives);
- v. One Independent Clubs' member; and
- vi. One Union Full Member.

##### **II. Function**

- i. To serve as an advisory body to the ICA Council on programmes of Independent Clubs;

- ii. To supervise the Independent Clubs on matters concerning programmes;
  - iii. To recommend on the direction and programmes according to the nature, constitutional purposes and development of the Independent Clubs when necessary; (**Appended in 2010-2011 CM12**)
  - iv. To recommend on joint activities among Independent Clubs and other sub-organizations of the Union when appropriate; (**Appended in 2010-2011 CM12**)
  - v. To scrutinize the Year Plans of the Independent Clubs;
  - vi. To review the Annual Functional Reports of the Independent Clubs; and
  - vii. To report to the ICA Council the inconsistencies between the Year Plans and the Annual Functional Reports of each Independent Club.
  - viii. (**Repealed in 2010-2011 CM12**)
- III. Content shall be included in the report to ICA Council
- i. A summary of work for the corresponding session;
  - ii. The attendance of each committee member; and
  - iii. Recommendation to the ICA Council.

## **Section V Executive Committee**

### **Article 1 Membership**

- I. The President
- II. The Internal Vice President
- III. The External Vice President
- IV. The General Secretary
- V. The Financial Secretary
- VI. Two Programme Secretaries (***Amended in 2010-2011 CM12***)
- VII. The Publications and Publicity Secretary

### **Article 2 Function**

The function of the Ex-co shall be:

- I. to serve as the governing body of the Association;
- II. to formulate the policies of the Association in accordance with the aims of the Association;
- III. to carry out the resolutions of the ICA Council; and
- IV. to maintain day-to-day administration of the Association.

### **Article 3 Responsibility and Accountability**

The Ex-co shall be responsible and accountable to the ICA Council for all its actions.

### **Article 4 Duties of Individual**

- I. The President shall:
  - vii. be the chief executive of the Association;
  - viii. be the Chairperson of the Ex-co;
  - ix. represent the Association in the Union Council, the Union Executive Committee and the Union Council Constitution Review Committee;
  - x. co-ordinate the Independent Clubs; and
  - xi. submit the Annual Report and the Half-yearly Report to the ICA Council. (***Amended in 2010-2011 CM12***)
- II. The Internal Vice President shall:
  - i. assist the President in all internal duties;
  - ii. be the Chairperson of the Disciplinary Committee; and
  - iii. submit the Annual Report and the Half-yearly Report to the ICA Council. (***Amended in 2010-2011 CM12***)
- III. The External Vice President shall:
  - i. assist the President in all external duties;
  - ii. represent the Association in the Union Council;

- iii. be responsible for public and social relations of the Association; and
  - iv. submit the Annual Report and the Half-yearly Report to the ICA Council. **(Amended in 2010-2011 CM12)**
- IV. The General Secretary shall:
- i. conduct the general correspondence of the Association;
  - ii. take and prepare minutes of all Ex-co meetings; and
  - iii. submit the Annual Report and the Half-yearly Report to the ICA Council. **(Amended in 2010-2011 CM12)**
- V. The Financial Secretary shall:
- i. be responsible for all matters relating to finance of the Association;
  - ii. be the Chairperson of the Finance Committee;
  - iii. represent the Association in the Union Finance Committee of Union Council;
  - iv. scrutinize all receipts submitted by all Independent Clubs before submitting to the Union Financial Secretary; and **(Amended in 2010-2011 CM12)**
  - v. submit the Annual Report and the Half-yearly Report to the ICA Council. **(Amended in 2010-2011 CM12)**
- VI. Two Programme Secretaries shall: **(Amended in 2010-2011 CM12)**
- i. coordinate and supervise the programmes of all Independent Clubs; **(Amended in 2010-2011 CM12)**
  - ii. be the members of the Programme Committee, in which one of them shall be appointed to be the chairperson in the ICA Council;
  - iii. consult and be consulted concerning the planning and running of programmes of all Independent Clubs; **(Appended in 2010-2011 CM12)**
  - iv. be responsible for all functions organized by the Ex-co; and
  - v. submit the Annual Report and the Half-yearly Report to the ICA Council. **(Amended in 2010-2011 CM12)**
- VII. The Publications and Publicity Secretary shall:
- i. be responsible for matters relating to the publications and publicity of the Association; and
  - ii. submit the Annual Report and the Half-yearly Report to the ICA Council. **(Amended in 2010-2011 CM12)**

## **Article 5 Resignation**

Any Ex-co member shall resign only with a motion carried with a two-thirds majority in the ICA Council Meeting.

## **Section VI Election**

### **Article 1 Annual Election**

The Annual Election for the posts of the President, the Internal Vice President, the External Vice President, the General Secretary, the Financial Secretary, two Programme Secretaries, the Publications and Publicity Secretary, the ICA Council Chairperson, the ICA Council Honorary Secretary and the ICA Council Past Representatives shall be held at the First ICA Council Meeting of each session. **(Amended in 2010-2011 CM1)**

### **Article 2 Nominations**

- I. Notice of open nomination for the posts in Article 1 shall be released at least 336 hours (14 days) before the First ICA Council Meeting. The nomination shall be closed 72 hours (three days) before the First ICA Council Meeting. **(Amended in 2010-2011 CM12)**
- II. Nomination for election shall only be made on forms provided for the purpose by the ICA Council. Each form shall contain the name of the candidate together with signatures of a proposer, a seconder and the signature of the candidate signifying his/her consent, duly signed by the ICA Council Chairperson or ICA Council Honorary Secretary, certifying the date of receipt. **(Amended in 2010-2011 CM12)**
- III. The nominees shall be the Union Full Members.
- IV. The proposers and the seconds of all posts shall be the members of any Independent Club.

### **Article 3 Eligibility**

- I. Only ICA Councilors and Official Observers of ICA Council of the previous session are eligible for the posts of ICA Council Chairperson and ICA Council Past Representatives. **(Amended in 2010-2011 CM1)**
- II. Except with the permission of ICA Council, only Ex-co members or the executive committee members of the Independent Clubs of previous session who are still the Union Full Members are eligible for the posts of the President, the Internal Vice President and the External Vice President. **(Amended in 2010-2011 CM1)**
- III. Each Union Full Members is eligible for the posts of Ex-co other than being mentioned in Article 3(II) and ICA Council Honorary Secretary, except when Article 3(IV) is applicable. **(Amended in 2010-2011 CM1)**
- IV. Any executive committee member or office-bearer of the Union and its sub-organizations is not eligible for any post of Ex-co. **(Appended in 2010-2011 CM1)**

#### **Article 4 Method of Voting**

- I. When there is only one candidate for the post, the present voting members of ICA Council shall vote for or against the candidate or abstain. The candidate shall be declared elected if a simple majority of votes is cast for the candidate.
- II. When there are two candidates for one post, a straight ballot shall be held. In the event of a tie a re-election shall be held.
- III. When there are more than two candidates for one post, the present voting members of ICA Council shall indicate on their ballot sheets their order of preference for all candidates. Ballot sheets shall be arranged and counted according to the first preference. The candidate at the bottom of the poll on the count shall be declared to have lost, and his/her votes shall be distributed among the remainders according to the second preference indicated on them. This process shall be continued until one candidate has a clear majority and he/she is declared elected.

#### **Article 5 By-election**

A By-election shall be held in case there is a vacancy for any post of Ex-co. Nominations and elections procedures shall be in accordance with Article 2 and 3, except that the notice of open nominations shall be released at least 336 hours (14 days) before the corresponding ICA Council Meeting.



## **Section VII Independent Clubs**

### **Article 1 Status and title of Independent Clubs**

- I. All Independent Clubs shall be directly affiliated to the Union, and shall observe the Constitution and regulations of the Union, and Standing Orders of the Union Council. **(Amended in 2010-2011 CM12)**
- II. All Independent Clubs shall state explicitly in titles such as in the letterheads, their affiliation to the Union, in either English or Chinese, with the initials “HKUSU” in English or “香港大學學生會” in Chinese. **(Amended in 2010-2011 CM12)**
- III. **(Repealed in 2010-2011 CM12)**

### **Article 2 Members of Independent Clubs**

- I. Full Members of Independent Club shall be the Union Full Members who have duly registered and paid the membership fees of the Independent Club.
- II. The membership of Independent Clubs shall open to all Union members. An Independent Club may refuse membership to a Union Member only with the approval of the Union Council.
- III. Only Union Full Members are eligible to register as Full Members of an Independent Club. Full Members of Independent Clubs, apart from enjoying the services and welfare provided by the Independent Club, shall have the following rights:
  - i. To nominate or to be nominated in an election in all General Meetings;
  - ii. To attend all General Meetings with full speaking right; and
  - iii. To propose, to second motions and to vote in all General Meetings, unless he/she is the honorary secretary of the General Meeting. **(Amended in 2010-2011 CM12)**
- IV. All members shall abide by the rules and the constitution of the Independent Club.
- V. The membership term of all Independent Clubs shall commence from the date of registration and end at coming 31st July. The membership fee of the Independent Clubs shall be approved by the ICA Council annually with the recommendation of the Finance Committee.
- VI. The ICA Council shall have the power to approve certain Independent Clubs to exempt their Full Members from membership fee. This shall be with recommendations of the Constitution Review Committee and the Finance Committee after considering the following criteria: **(Amended in 2010-2011 CM12)**
  - i. aims and nature of the Independent Club;
  - ii. financial status; and
  - iii. other relevant criteria.

### **Article 3 *(Repealed in 2010-2011 CM12)***

### **Article 4 General Meetings**

- I. Independent Club shall inform all its Full Members of the arrangements including the date, time, venue and the agenda of the AGM in written form at least 168 hours (seven days) before the meeting. For an EGM, the time limit shall be 72 hours (three days).
- II. A written notice shall be submitted to the Ex-co and ICA Council Chairperson at least 168 hours (seven days) before the commencement of the AGM. For an EGM, the time limit shall be 72 hours (three days). ***(Amended in 2010-2011 CM12)***
- III. An AGM shall be held upon the request of the Executive Committee of Independent Club. An EGM shall be held upon the request of the Executive Committee of Independent Club, or the written requisition of five percent of or 15 Full Members of Independent Club, whichever is more. ***(Amended in 2010-2011 CM12)***
- IV. The following business shall be included in the agenda of AGM: ***(Amended in 2010-2011 CM12)***
  - i. To receive and adopt the agenda
  - ii. To receive and adopt the minutes of the previous Annual General Meeting and Extraordinary General Meeting(s) (if any) ***(Amended in 2010-2011 CM12)***
  - iii. To receive and adopt of the Annual Report
  - iv. To receive and adopt the Year Plan and Financial Budget
  - v. To elect the Executive Committee of next session
  - vi. To authorize the newly elected Chairperson (or equivalent) and Financial Secretary (or equivalent) to be in charge of the official bank account of the Independent Club jointly ***(Appended in 2010-2011 CM12)***
  - vii. Any Other Business
- V. ICA Councilors or the Union Councilors will be eligible to be a Returning Officer upon the appointment by the ICA Council Chairperson. Any General Meeting without the presence of a Returning Officer shall be considered invalid. ***(Amended in 2010-2011 CM12)***
- VI. The responsibilities of the Returning Officer shall be: ***(Amended in 2010-2011 CM12)***
  - i. to complete the Form for Returning Officer in General Meeting, and collect the checked Quorum Sheet and all distributed materials in the General Meeting, which shall be submitted to the ICA Council Honorary Secretary within 336 hours (14 days) after the end of the General Meeting;
  - ii. to report the alleged infringement of Constitution and regulations of the Union, and Standing Orders of the Union;
  - iii. to be consulted if there is any question concerning Constitution and regulations of the Union, and Standing Orders of the Union Council; and

- iv. to be a disinterested, independent observer of the General Meeting and shall not take part in discussion nor voting, **(Amended in 2010-2011 CM12)**
- v. **(Repealed in 2010-2011 CM12)**
- VII. A Returning Officer shall not be the member of the Independent Club holding the General Meeting and shall not vote.
- VIII. All Independent Clubs shall submit the minutes to the ICA Council Honorary Secretary within 336 hours (14 days) after the end of the General Meeting. **(Amended in 2010-2011 CM12)**
- IX. For any General Meeting of an Independent Club, seven percent of or 20 Full Members of the Independent Club, whichever the more, shall form a quorum. **(Amended in 2010-2011 CM12)**
- X. Only Full Members of Independent Clubs shall vote in the General Meetings of the Independent Clubs. Each Full Member of Independent Clubs is entitled to one vote only.
- XI. Except with permission of the ICA Council, the AGM of the Independent Clubs shall be held within the period from the first day of January to the last day of February.
- XII. Any General Meetings convened not in accordance with Article 4 shall be declared invalid.

## **Article 5 Nomination, Election, Vacancy, Vote of confidence and Vote of no-confidence**

- I. Executive committee members shall be elected in a General Meeting. Only Full Members of Independent Clubs shall have the right to nominate or to be nominated in the election.
- II. Nomination of the executive committee members shall be opened to all Full Members of the Independent Club at least 168 hours (seven days) before the General Meeting and closed 72 hours (three days) before the General Meeting. The notice of open nomination shall be informed to all Full Members of the Independent Club, the Ex-co and ICA Council Chairperson. **(Amended in 2010-2011 CM12)**
- III. The list of nominees shall be informed to all Full Members of the Independent Club, the Ex-co and ICA Council Chairperson within 24 hours after closing of nomination. **(Amended in 2010-2011 CM12)**
- IV. Vacancies in the executive committee shall be filled at EGM called for that purpose by the Chairperson (or equivalent) of the Independent Club if the vacancy is not the post of the Chairperson (or equivalent). In case of vacancy of the Chairperson (or equivalent), a member of the Constitution Review Committee shall take the chairmanship of the EGM.
- V. In case of any vacancy, the matter shall be resolved in the General Meeting.
- VI. Election for all individual post in the executive committee shall be conducted separately.
- VII. When there is only one candidate for the post, the attending Full Members of Independent Clubs shall vote for or against the candidate or abstain. The candidate shall be declared elected if a simple majority of votes is cast for the candidate.
- VIII. When there are two candidates for one post, a straight ballot shall be held. In the event of a tie a re-election shall be held. **(Amended in 2010-2011 CM12)**

- IX. When there are more than two candidates for one post, the attending Full Members of Independent Clubs shall indicate on their ballot sheets their order of preference for all candidates. Ballot sheets shall be arranged and counted according to the first preference. The candidate at the bottom of the poll on the count shall be declared to have lost, and his/her votes shall be distributed among the remainders according to the second preference indicated on them. This process shall be continued until one candidate has a clear majority and he/she is declared elected. ***(Amended in 2010-2011 CM12)***
- X. Results of election and by-election, and any resignation or vacancy shall be publicized and submitted to the Ex-co and ICA Council Chairperson. The result submitted to the Ex-co and ICA Council Chairperson shall include the name, university number (UID), corresponding telephone number and email address of each elected or resigning executive committee member. ***(Amended in 2010-2011 CM12)***
- XI. Any resignation of the executive committee member of Independent Club shall be received only with a motion carried with a two-thirds majority in the General Meeting of the Independent Club. ***(Amended in 2010-2011 CM12)***
- XII. A vote of no-confidence for infringement of the Constitution, negligence of duties, or unbecoming conduct, may be moved against an executive committee member of an Independent Club at a General Meeting in which the discussion of the vote of no-confidence is one agenda item. The person concerned shall be terminated from his/her office once the motion is passed a two-thirds majority in the General Meeting. If the vote of no-confidence is moved against the Chairperson (or equivalent) or the presiding officer of the Independent Club, a member of the Constitution Review Committee is authorized to take the chairmanship of the General Meeting in the relevant agenda item. ***(Amended in 2010-2011 CM12)***
- XIII. Any executive committee member of an Independent Club who ceases to be an Union Full Member during his/her term of office in a session shall only hold office till the end of that session upon a vote of confidence being passed to him/her with a two-thirds majority in the General Meeting. ***(Amended in 2010-2011 CM12)***

## **Article 6 Amendments to the Constitution**

- I. The Constitution shall only be amended in a General Meeting by a motion carried with a two-thirds majority. Detailed proposal of amendment shall be publicized in the notice of General Meeting 168 hours (seven days) before the General Meeting.
- II. The proposed amendment to the constitution shall be submitted to the Constitution Review Committee for consultation at least one month before the General Meeting.

## **Article 7 General**

- I. An Independent Club shall be governed by an executive committee which comprises no less than four members, in which Chairperson (or equivalent) and Financial Secretary (or equivalent) are mandatory. All posts except mandatory ones are not necessary to be filled up. **(Amended in 2010-2011 CM12)**
- II. The control of material assets of any Independent Club shall rest on its current executive committee, and shall rest on the Union after the disaffiliation of the Independent Club.
- III. Independent Clubs shall keep the following records:
  - i. A membership official record
  - ii. An account book
  - iii. A minutes book in which minutes of all General Meetings shall be entered
  - iv. A record of all functions held by the Independent Club
  - v. An inventory book
- IV. Affiliation of any Independent Club to the Union shall entail acceptance of, and compliance with the Constitution and regulations of the Union and the Association.
- V. All Independent Clubs shall have not less than 60 Full Members. **(Appended in 2010-2011 CM12)**
- VI. The official bank account of the Independent Club shall be kept by the Chairperson (or equivalent) and Financial Secretary (or equivalent) of the Independent Club jointly. Another executive committee member shall be authorized to be responsible for the management of bank account if one is both the Chairperson (or equivalent) and Financial Secretary (or equivalent). The signatures of both are required in any proceedings related to the bank account. **(Appended in 2010-2011 CM12)**
- VII. The control of finance of any Independent Club governed by no executive committee shall be in the trust of the Ex-co temporarily until the new executive committee is elected in a General Meeting. The Ex-co is required to submit to the ICA Council: **(Appended in 2010-2011 CM12)**
  - i. a report within 336 hours (14 days) after the completion of control; and
  - ii. interim report(s) as requested by the ICA Council or the ICA Council Chairperson.

## ***Section VIII Amendment and Interpretation of Constitution***

### **Article 1 Amendment**

- I. The Constitution shall not be amended except by a motion carried with a two-thirds majority at the corresponding ICA Council Meeting.
- II. A notice intimating the proposed amendment or recession shall be sent 120 hours (five days) before the corresponding ICA Council Meeting. ***(Amended in 2010-2011 CM12)***

### **Article 2 Interpretation**

The interpretation of this Constitution shall rest with the ICA Council.