

Constitution of Law Association, HKUSU

Section I Interpretation

For the purposes of this Constitution,

1. "the Association" shall mean the Law Association, HKUSU. (amended, 19 March 1999)
2. "the Committee" shall mean the Executive Committee of the Law Association, HKUSU. (amended, 19 March 1999)
3. "Faculty of Law" shall mean the Faculty of Law, the University of Hong Kong; the School of Law, the University of Hong Kong, as existed before 1 July 1984; and the Department of Law, Faculty of Social Science, the University of Hong Kong, as existed before 1 July 1984. (amended, 4 October 1999)
4. "the University" shall mean the University of Hong Kong.
5. The term "General Meeting" shall include the Annual General Meeting and any Extraordinary General Meeting of the Association.
6. "Constitution" shall mean the Constitution of the Law Association, HKUSU. (added, 26 November 2003)
7. "the Election" shall include the Annual Polling and the Campaign Meeting. (added, 19 March 1999)
8. If the context permits or requires, words and expressions importing the masculine gender shall include the feminine gender. Words and expressions in the singular include the plural and words and expressions in the plural include the singular. (amended, 26 November 2003)

Section II General

Article 1: Name 1. The name of the Association shall be "Law Association, HKUSU". (amended, 19 March 1999) 2. The name of the Association in Chinese shall be 香港大學學生會法律學會. (amended, 11 March 1982)

Article 2: Purpose The purpose of the Association shall be: 1. to secure the complete organisation and unity within the Association of all past and present students of the Faculty of Law; 2. to promote the general welfare of the members of the Association; 3. to promote an interest to serve the community amongst members of the Association; 4. to represent the members of the Association both locally and internationally. (added, 19 March 1999)

Article 3: Association Session The Association Session shall begin with the

conclusion of the Annual General Meeting and shall terminate with the conclusion of the Annual General Meeting of the following year.

Article 4: Management The management of the Association during the Association Session shall be vested in the Committee as elected in accordance with the provisions of this Constitution. (amended, 26 November 2003)

Article 5: Official Languages English and Chinese shall be the official languages of the Association in either or both of which all official meetings and official correspondence shall be conducted. Chinese, in its oral form, shall mean the Cantonese dialect and Mandarin. (amended, 26 November 2003)

Section III Membership

Article 1: Definitions

1. Full Membership a. All undergraduates registered with the Faculty of Law shall be Full Members of the Association and shall pay the prescribed fees. (amended, 4 October 1999) b. All students registered with the University and taking an approved post-graduate course in the Faculty of Law shall be Full Members on payment of the prescribed fees; (amended, 30 June 1984) c. Full Membership shall be effective upon registration with the Association. (amended, 4 October 1999) d. If any Full Member at any time for any reason ceases to be a student of the Faculty of Law, his Full Membership shall terminate on the conclusion of the ensuing Annual General Meeting. (amended, 19 March 1999)

2. Associate Membership a. All past students of the Faculty of Law shall be Associate Members on payment of the prescribed fees and the membership session shall terminate on the conclusion of the ensuing Annual General Meeting. (amended, 19 March 1999) b. All students of the University, except those specified in Section III Article 1(1)(a), whose degree curricula are offered and managed jointly by the Faculty of Law and other Faculties in the University and are eligible for PCLL studies shall be Associate Members of the Association upon payment of the prescribed fees. (amended, 26 November 2003) c. On the approval of the committee, any person not eligible to membership under Article 1(A), Article 1(B)(a) and Article 1(B)(b) above shall nevertheless be entitled to Associate Membership on payment of the prescribed fees. (amended, 19 October 2000)

3. Honorary Membership a. The Dean of the Faculty of Law shall ex-officio be the Honorary President of the Association. (added, 26 November 2003) b. All members of the teaching staff in the Faculty of Law shall be Honorary Members. (amended, 30 June 1984) 4. Honorary Life Membership Honorary Life Membership shall be conferred upon any person for his exceptionally meritorious service to the Association on his being elected a such in a General Meeting upon nomination by the Committee.

Article 2: Privileges of Degrees of Membership 1. All members of the Association

shall enjoy the following privileges: a. To use all facilities provided by the Association for the general use of its members; b. To attend functions and activities organized by the Association. 2. All Full Members of the Association shall have the right to attend, participate in the vote at General Meetings and the right to vote in a General Polling of the Association but the right to nominate candidates and be nominated for candidature to the Committee shall be restricted to those who have paid the subscription for their Full Membership in the next Association Session. (amended, 29 April 2004) 3. All Associate and Honorary Life Members shall have the right to attend and participate in General Meetings of the Association but without the right to vote, make any formal proposal and/or secondment to any motion therein. 4. All Associate and Honorary Life Members shall not have the right to vote, make any formal proposal and/or secondment to any motion in a General Polling of the Association (added, 29 April 2004)

Article 3: Fees The prescribed fees as referred to in Article 1(1) and 1(2) above are as follows:

1.a. Subject to Section III Article 1(b), in the case of a Full Member enrolled in the LLB curriculum, the subscription shall be paid in accordance with the following table: Status No. of Association Session(s) covered Amount 1st Year Student 4 HK\$200.00 2nd Year Student 3 HK\$150.00 3rd Year Student 2 HK\$100.00 4th Year Student 1 HK\$50.00 (amended, 19 October 2006) b. In the case of a Full Member, enrolled in the LLB curriculum, who was eligible to be an Associate member under Section III Article 2(b), immediately before his enrollment in the LLB curriculum, the subscription shall be paid in accordance with the following table: Status No. of Association Session(s) covered Amount 4th Year Student 2 HK\$100.00 5th Year Student 1 HK\$50.00 (amended, 14 April 2009) c. In the case of a Full Member enrolled in the Fast Track LLB curriculum, the subscription shall be paid in accordance with the following table: Status No. of Association Session(s) covered Amount 1st Year Student 3 HK\$150.00 2nd Year Student 2 HK\$100.00 3rd Year Student 1 HK\$50.00 d. In the case of a Full Member enrolled in the Juris Doctor program, the subscription shall be paid in accordance with the following table: Status No. of Association Session(s) covered Amount Post-graduate 1st Year Student 2 HK\$100.00 Post-graduate 2nd Year Student 1 HK\$50.00 (amended, 14 April 2009) e. In the case of a Full Member who is a P.C.L.L. Student, the subscription shall be HK\$50.00 which covers one Association Session. f. The subscription fee shall be paid together with an entrance fee of HK\$50 if he is a new member to the Association. (amended, GP on 23 November 2004)

2. In the case of an Associate Member, an annual subscription fee of HK\$50 shall be paid, together with an entrance fee of HK\$50 if he is a new member to the Association. (amended, GP on 23 November 2004) 3. Provided always where a person has duly complied with paragraph 1 or 2 above, the entrance fee as prescribed shall not become payable on the same person renewing his membership with the Association. (amended, 19 March 1999) 4. All members shall renew the membership within 1 month upon its termination. Any application received thereafter shall be considered as application for new

membership. (added, 19 March 1999) 5. If a Full Member ceases to be a student of the Faculty of Law, the remaining subscription for the coming session or sessions shall be refunded on application within 4 weeks after the termination of his Full Membership. (amended, 30 June 1984)

Section IV The Executive Committee

Article 1: Functions The Functions of the Committee shall be: 1. to manage the Association; 2. to formulate and implement the policies of the Association in accordance with the provisions of this Constitution; and 3. to carry out the resolutions of the General Meetings and the General Pollings. (amended, 29 April 2004)

Article 2: Composition The Committee shall consist of the following Honorary Offices: Chairman Internal Vice-Chairman External Vice-Chairman General Secretary Treasurer Social Convenor External Secretary Publication Secretary Sports Captain Legal Education Secretary Welfare Secretary Marketing Secretary (amended, 15 February 1995)

Article 3: Committee Meetings 1. A Committee meeting may be held at any time, and shall be convened by the General Secretary acting under instructions from the Chairman. 2. A Notice of a Committee Meeting and the agenda thereof shall be given to each Committee Member at least 24 hours beforehand provided always, in case of urgency, that this clause may be waived if all Committee Members give written consent to such waiver at any time. (amended, 26 November 2003) 3. At a Committee Meeting, not less than half the number of Committee Members in office shall form the quorum, among whom must be the Chairman and the General Secretary or some other person or persons duly delegated by them.

Article 4: Duties of Individual Committee Members

1. The Chairman The Chairman shall: a. be the chief executive; b. chair all Committee Meetings; c. present an annual report of the activities of the Association during the relevant Association Session at the Annual General Meeting; d. convene an Extraordinary General Meeting in the event of 4 or more of the Committee posts falling vacant; e. sign the minutes of all Committee Meetings after they have been adopted by the Committee; f. appoint any member of the Committee to be the Acting General Secretary in the event of the General Secretary's absence; g. jointly sign with the Treasurer all cheques pertaining to all financial transactions of the Association.

2. The Internal Vice-Chairman The Internal Vice-Chairman shall: 1. be the Acting Chairman of the Committee in the absence of the Chairman; 2. assist the Chairman in the discharge of his duties; 3. be responsible for maintaining close relationship with the Faculty of Law and other student representatives in the Faculty of Law. (added, 19 March 1999)

3. The External Vice-Chairman The External Vice-Chairman shall: a. be responsible for the promotion of social awareness among law students; b. be responsible for the promotion of relationship between the Association and the Hong Kong University Students' Union; c. be the representative of the Association at the Hong Kong University Students' Union Council. (amended, 19 March 1999)

4. The General Secretary The General Secretary shall: a. convene the Annual General Meeting on the instruction of the Committee; b. convene any Extraordinary General Meeting at the request of the Committee or upon the application signed by not less than 25 Full Members; c. be responsible for the general correspondence of the Association; d. record the proceedings of all meetings of the Association, or in his or her absence by any member of the Committee subject to the approval of the occupant of the Chair; e. prepare the minutes of all Meetings of the Association; f. maintain an up-to-date membership roll of the Association.

5. The Treasurer The Treasurer shall: a. keep a full and accurate record of all financial transactions of the Association; (amended, 26 November 2003) b. present in July a half-yearly financial report; (added, 19 March 1999) c. present a full financial report and audited statement of accounts at the end of the Association Session; d. jointly sign with the Chairman all cheques pertaining to all financial transactions of the Association.

6. The Social Convenor The Social Convenor shall be responsible for all social activities of the Association.

7. The External Secretary The External Secretary shall: 1. be responsible for the promotion of better relationship with the various Government Departments, professional and legal bodies as well as the public; (amended, 19 March 1999) 2. assist the External Vice-Chairman in the promotion of social awareness among law students. (amended, 19 March 1999)

8. The Publication Secretary The Publication Secretary shall be responsible for all publications of the Association.

9. The Sports Captain The Sports Captain shall: 1. be responsible for all sports activities of the Association; 2. be the representative of the Association at the Hong Kong University Students' Union Sports Association Council. (amended, 26 November 2003)

10. The Legal Education Secretary The Legal Education Secretary shall be responsible for promoting the interest and understanding in law. (amended, 26 November 2003)

11. The Welfare Secretary The Welfare Secretary shall be responsible for the welfare facilities of the Association. (amended, 19 March 1999)

12. The Marketing Secretary The Marketing Secretary shall be responsible for the solicitation and management of sponsorships and donations and other related matters of the Association. (added, 15 February 1995)

Article 5: Minutes The minutes of all Committee Meetings shall be prepared by the General Secretary and shall be available for inspection at the request of any Full Member of the Association.

Article 6: Termination of Office 1. Any Committee Member wishing to resign shall serve a notice of resignation in writing to the Committee stating the reasons therein, and his resignation shall take effect on the approval of the Committee and on such terms as the Committee may deem fit to impose. 2. The Committee may by resolution suspend or dismiss any Committee Member for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Committee or for any other reason which the Committee deems fair and sufficient in the interest of the Association. 3. Provided always that such a Committee Member shall have the right of appeal against any such terms as imposed by the Committee under paragraph 2 above to a General Meeting whose decision shall be final. 4. Where a Committee Member ceases to be a student of the Faculty of Law his office shall ipso facto fall vacant. (amended, 30 June 1984)

Article 7: Acting Executive Committee Member In the event of any vacancy occurring in the post of the Committee, any Full Member can be appointed as Acting Executive Committee Member to take up the work in a General Meeting, General Polling or the Law Association Council, if any, who shall have the same authorities and duties as the respective posts, subject to limitations imposed by the General Meeting, General Polling or the Law Association Council. (added, 26 November 2003)

Section V General Meeting

Article 1: Authority The resolution of a General Meeting shall possess the highest authority in all matters affecting the Association.

Article 2: Annual General Meeting 1. The Annual General Meeting shall be held within the first 14 school days of the second semester of each academic year. (amended, 26 November 2003) 2. The Annual General Meeting shall be convened by the General Secretary on the instruction of the Committee and presided over by a person appointed by the Committee and whose appointment shall be duly ratified by a simple majority of those Full Members present and voting at that meeting. (amended, 26 November 2003) 3. The business of the Annual General Meeting shall be: a. to receive and adopt the minutes of the previous Annual General Meeting together with the minutes of all Extraordinary General Meetings which may have been held since the previous Annual General Meeting; b. to receive and adopt the Treasurer's report and audited statement of accounts prepared to the end of the Association Session; c. to receive and adopt the Annual Report of the Executive Committee of the immediate session; (amended, 19 March 1999) d. to elect Honorary Life Members, if any; e. to

receive and adopt the result of the Election; (added, 19 March 1999) f. any other business.

Article 3: Extraordinary General Meeting 1. The General Secretary shall convene an Extraordinary General Meeting at the request of the Committee or upon a requisition signed by not less than 25 Full Members. Any such request or requisitions shall specify the objects of the proposed Meeting and no other matter shall be discussed thereat without the consent of at least two-thirds of the Full Members present at the Extraordinary General Meeting. (amended, 26 November 2003) 2. Any Extraordinary General Meeting duly convened shall be presided over by a person appointed by the Committee and whose appointment shall be duly ratified by a simple majority of those Full Members present and voting at that meeting. (amended, 26 November 2003) 3. In the event of vacancies occurring in the post of the General Secretary, any Committee member can call an Extraordinary General Meeting, and shall appoint a Chairman for the meeting from amongst the Full Members present at that meeting, whose appointment shall be duly ratified by a simple majority of those Full Members present and voting at that Meeting. (added, 26 November 2003) 4. In the event of vacancies occurring in all the Committee posts, the Honorary President shall call an Extraordinary General Meeting, and shall appoint a Chairman for the meeting from amongst the Full Members present at that meeting, whose appointment shall be duly ratified by a simple majority of those Full Members present and voting at that Meeting. (added, 26 November 2003)

Article 4: Notice Notice of the Annual General Meeting together with the agenda thereof shall be posted at least seven clear days in advance; notice of a Extraordinary General Meeting together with the agenda thereof shall be posted at least three clear days in advance. And notice to all members of any General Meetings shall be deemed to have been effected on posting of such notice. (amended, 19 March 1999)

Article 5: Quorum 1. In all General Meetings, not less than one-tenth of the number of Full Members shall form the quorum. (amended 11 March 1982) 2. In the event of a failure to form a quorum within one hour from the stated time in any General Meeting, the meeting shall be adjourned. The Convenor of the meeting shall announce the proposed date of the postponed meeting within 1 school day after the adjournment with notice to all members. (added, 26 November 2003)

Article 6: Voting Where a voting is called for in any General Meeting of the Association, abstentions shall not be counted as votes. (added, 26 November 2003)

Article 7: Vote for No-confidence A vote of no-confidence for infringement of the Constitution, neglect of duties, or unbecoming conduct may be moved against any members of the Committee at an Extraordinary General Meeting held specially for this purpose. A vote so passed shall call for the resignation of the person or persons against whom the vote is moved. (amended, 26 November

2003)

Article 8: Returning Officer A Returning Officer appointed by the Chairman of Hong Kong University Students' Union Council must be present in all General Meetings of the Association. (amended, 26 November 2003)

Section VI General Polling

Article 1: Authority The vote of General Polling shall possess the same authority as the vote of a General Meeting. The resolutions of any General Meetings or General Pollings can only be revoked by a subsequent General Meeting or General Polling

Article 2: General Polling No General Polling shall be held unless it is conducted by the Chairman of the committee at the request of the committee or upon a requisition signed by not less than 25 Full Members. Any such request shall specify the motion or motions to be voted on at the General Polling.

Article 3: Notice An Official Notice of all General Polling and the motion(s) to be voted on shall be posted at least seven clear days beforehand.

Article 4: Returning Officer Any member of the HKUSU Council, not being a Member of the Association, shall be invited as the Returning Officer.

Article 5: Voting 1. Voting shall take place at the polling stations which shall be open for not less than eight hours. 2. The results of the Polling shall be declared valid provided that the total number of valid votes cast is not less than one-tenth of the number of Full Members of the Association.

Section VII Election

Article 1: Time 1. A Campaign Meeting shall be held at a date before the Annual Polling which is to be held at a date before the Annual General Meeting. (amended, 19 March 1999) 2. The Annual Polling of the Committee Members of the Association shall be held within 24 hours following the Campaign Meeting excluding Saturdays, Sundays and Public Holidays. (amended, 19 March 1999)

Article 2: Election Official The Election or the By-election shall be presided over by a person appointed by the Committee and whose appointment is duly ratified by a simple majority of those Full Members present at that General Meeting or by a simple majority of the valid votes in that General Polling. (amended, 29 April 2004)

Article 3: Nominations 1. Nominations for the members of the Committee shall be submitted to Election Official at least 48 hours before the Campaign Meeting on forms especially provided for the purpose. Any nominations received after the stipulated time shall be null and void. 2. Each nomination shall contain the names and signatures of one candidate, a proposer and a seconder, together with

the candidature for the post as stated therein. 3. Such nomination form shall be made available on request from the Election Official on notice of the Annual General Meeting being given. 4. No candidate may be nominated for more than one post. A candidate may campaign individually for election. (amended, 19 March 1999)

Article 4: Method of voting 1. The method of voting shall be by secret ballot and no proxy is allowed. 2. When there is only one candidate for the post, the candidate shall be elected: (a) upon obtaining a majority of votes for or against; (amended, 19 March 1999) (b) upon obtaining a minimum vote of 30% of the Full Members after taking consideration of the difference in (a). (amended, 19 March 1999) 3. Where there are two or more than two candidates for one post, electors shall indicate on their ballot papers their order of preference for the candidates. Papers shall be arranged and counted according to the first preference. The candidate at the bottom of the poll on this first count shall be declared to have lost and his votes shall be distributed among the remaining candidate or candidates according to the second preference indicated on the ballot papers. After the distribution, the votes secured by the remaining candidate or candidates shall be declared to have lost and his votes shall be distributed as before according to the next preference. The process shall continue until only one candidate is left and he shall be declared elected provided that he has secured at the end of the process a number of votes not less than 30% of the total Full Members. (amended 19 March 1999) 4. In the event of a tie occurring at any stage of these proceedings, a revote shall be held within 48 hours following a tie, excluding Saturdays, Sundays and Public Holidays. If a tie occurs again, the Election Official shall have a casting vote. (amended, 19 March 1999)

Article 5: By-election 1. In the event of any vacancies occurring in any Committee posts after the Annual Polling, a By-election shall be held by the Election Official within one month after the Annual Polling. (amended, 8 April 2004) 2. A Campaign Meeting shall be held at a date before the By-election. The nomination procedure and method of voting shall be that of the Annual Polling except paragraph 3 of Article 3. (added, 8 April 2004)

Article 6: Re-Election 1. The Election Official pursuant to any request shall, on being satisfied that there had been a contravention of any of the above election procedures, order a Re-Election. Any such request for a Re-Election shall only be entertained if made by not less than 10 Full Members in writing, together with the grounds on which the request is made, submitted to the Chairman who presided over the Election not later than 24 hours after the announcement of the results of the Annual Polling. (amended, 19 March 1999) 2. The Re-Election shall be held within 48 hours after the Election Official orders a Re-Election. (added, 19 March 1999)

Section VIII Affiliation (added, 8 April 2004)

Article 1: Academic Society of Law Association, HKUSU 1. Academic Society of the

Association shall include any of the following societies:- a) Departmental Society Departmental Society is the student organization in the full membership of which is open to all students taking approved courses in any department of the Faculty of Law of the University. b) Curricular Society Curricular Society is the student organization in the full membership of which is open to all the students enrolled in the curricula of the University and the Faculty of Law is its home faculty. The curriculum shall have an independent JUPAS code, shall either be jointly offered by inter-faculty or inter-department or directly offered by the Faculty of Law and shall not be the only curriculum in the Faculty of Law. Curricular Society shall be formed only if it is by definition infeasible for there to be a formation of Departmental Society. c) Major Or Minor Society Major Or Minor Society is the student organization in the full membership of which is open to all students taking approved courses in the Faculty of Law which shall be eligible to be declared as a major or minor stream of study in the Faculty of Law. Major Or Minor Society shall be formed only if it is by definition infeasible for there to be a formation of Departmental Society or Curricular Society. 2. All Academic Societies shall enjoy the same status and privileges upon affiliation.

Article 2: Rules and procedures of affiliation of Academic Society 1. Rules: a. An Academic Society shall be affiliated to the Association either as a Departmental Society, a Curricular Society or a Major Or Minor Society of which a majority of its full members have Full Membership of the Association. b. There shall only be one recognized Major Or Minor Society organized by students taking the course. 2. Procedures: a. Interested parties shall submit a draft of constitution of the Academic Society to the Executive Committee of the Association. b. After approval from the Executive Committee, the draft of the constitution, with amendments if necessary shall be received and adopted in the general meeting or general polling of the Academic Society. The general meeting or general polling should be convened in accordance with the procedures in their constitution draft. c. After the draft of the constitution is received and adopted, it needs approval from the Law Association Council, if any or General Meeting or General Polling of the Association. d. An Academic Society is affiliated to the Association only when agreed by not less than two-thirds of the Full Members present and voting at the General Meeting. e. The Association shall report to the Hong Kong University Students' Union Council upon completion of affiliation procedures of any Academic Society. f. The Law Association Council shall be formed in an Extraordinary General Meeting in which the functions and composition of the Law Association Council shall be discussed if there is successful affiliation of any Academic Society and be recognized by the Hong Kong University Students' Union.

Section IX Constitution

Article 1: Alteration and Amendment Notwithstanding any provision to the contrary, no part of this Constitution shall be altered or amended except at an Annual General Meeting, at an Extraordinary General Meeting or by a General Polling, notice of which shall have been posted at least 7 clear days in advance, intimating specifically the changes proposed. (amended, 29 April 2004)

Article 2: Motions A motion to alter or amend any part of this Constitution shall be carried only when so agreed to by not less than two-thirds of the Full

Members voting at that General Meeting or by not less than two-thirds of the valid votes in that General Polling. (amended, 29 April 2004)