

Hong Kong Air Traffic Control Association

Constitution and Rules

1. Name and Office

- 1.1. The name of the Union shall be "Hong Kong Air Traffic Control Association", ("香港航空管制協會") (in Chinese). (Hereinafter called "the Association".)
- 1.2. The registered office and postal address of the Association shall be at: Air Traffic Management Division, Civil Aviation Department, No1 Tung Fai Road, Hong Kong International Airport, Lantau, Hong Kong.

2. Objectives

The objects of the Association shall be as follows:

- 2.1. To secure the complete organisation in the Association of all persons specified in Rule 3.1.
- 2.2. To obtain and maintain just and reasonable rate of wages, hours of works and other conditions of employment, and generally to protect, advance and improve the interests of the members of the Association and the Profession.
- 2.3. To regulate relations and to settle disputes between members and employers, between one member and another, and between members and other employees by amicable and conciliatory means.
- 2.4. To promote a spirit of mutual respect and understanding between the Association and the employer and to secure the establishment of recognised and permanent machinery for negotiation with the employer.
- 2.5. To deal with all questions affecting the profession and persons engaged in allied or kindred professions, trades and businesses, whether in Hong Kong or elsewhere, and to co-operate with any persons or organisations throughout the world in any manner calculated or intended to promote the interests of the members of the profession or to attain any object of the Association.
- 2.6. To promote the consideration and discussion of all questions of interest to the profession and to facilitate the interchange of views with regard to all such matters and to undertake or join in undertaking such other activities as

- may be deemed of interest or importance to the Association or to the profession.
- 2.7. To constitute a representative body of experienced Air Traffic Control Officers available to elect and send delegates to act as members of or to hold seats on or give evidence before Commissions, Courts of Enquiry, Committees or Boards of any description whatsoever or any governing, examining or other body, official or otherwise, and be available for advice or consultation on all questions in relation to aviation and matters connected therewith.
 - 2.8. To take or join in taking such steps as may be legal for the promotion or defence of proceedings affecting the Association or any member thereof and to obtain or join in obtaining legal advice on matters affecting the members of the profession and generally to protect the members from any undesirable method of business in connection with the profession.
 - 2.9. To subscribe to and communicate and cooperate with trade associations, chambers of commerce, research societies, mercantile and public bodies or any other bodies or associations corporate or incorporate, and to become a member or affiliated to any such associations, societies, or bodies related to aviation.
 - 2.10. To provide for members and in certain circumstances their families any or all of the following benefits and such others as the General Meeting may decide either solely or jointly with any other persons or organizations.
 - 2.10.1. Monetary assistance for sickness, accident, disablement, distress, unemployment, maternity and retirement;
 - 2.10.2. Death gratuities and funeral expenses;
 - 2.10.3. Education expenses;
 - 2.10.4. Victimisation and trade dispute benefits;
 - 2.10.5. Legal advice and legal assistance in connection with the employment of members.
 - 2.11. To promote generally the material, cultural, social, educational and recreational welfare of the members and their families in any lawful manner by the provision of educational facilities, clinics and other undertakings which the General Meeting may from time to time decide.
 - 2.12. To co-operate with any lawful organisation whose objects are to promote the interests of labour, trade unionism or trade unionists and related to aviation.
 - 2.13. To establish, carry on or participate in the business of printing or publishing newspaper, journals, books, pamphlets or other publications including those in an electronic form which may be thought desirable for the promotion of the

interests of the Association and its members.

- 2.14. To organise educational activities and professional training concerning occupational safety, labour law, sense of trade unionism for the protection of the members.
- 2.15. To consider, promote, originate and support or oppose legislation, regulations or any modifications thereof affecting the interests of the Association or the Profession.
- 2.16. To be concerned with and to participate in the community affairs affecting the interests of the members.
- 2.17. To do all such other lawful things as are incidental or conducive to the attainment of any or all of the above objects.

3. Membership and Subscriptions

- 3.1. Membership of the Association is open to all persons who are ordinary residents of Hong Kong and who,
 - are working in the provision of air traffic services in Hong Kong or
 - have worked in the provision of air traffic service in Hong Kong AND are still employed by Civil Aviation Department of Hong Kong Government.
- 3.2. The Executive Committee may, at its discretion, grant Honorary Membership to any members retiring from the profession on account of age or ill health only. Honorary Members shall be entitled to all the benefits of membership but shall not have the right to vote.
- 3.3. Members shall have full voting powers in accordance with these Rules together with all other rights and privileges attaching to membership of the Association.
- 3.4. An application for membership shall be submitted to the Vice-President Administration of the Association. When approved by the Executive Committee, the applicant shall pay the annual subscription. Any omission from or inaccuracy or misrepresentation in particulars relating to the applicant shall render the application voidable at the discretion of the Executive Committee.
- 3.5. a) The annual subscription for voting members shall be payable on admission and annually on or before the 30th April at rates confirmed in the Annual General Meeting. Honorary members should not be required to pay annual subscription but shall contribute to pay any other levies as may be decided by the Executive Committee.

- b) A General Meeting of the Association shall be the sole authority in determining fees and subscriptions.
- 3.6. A member who is in arrears of subscription, or any other levies or fees shall not be entitled to vote on any matter of the Association.
- 3.7. A member who is more than 6 months in arrears of subscription, or any other levies or fees shall cease to be a member, but may be re-instated at the discretion of the Executive Committee on payment of all arrears. They may enjoy the rights and benefits of the Association after the Executive Committee has agreed for them to resume membership.
- 3.8. A member, except an Honorary Member, who has ceased to be employed or engaged in the categories referred to in para. 3.1 and is employed permanently in a different profession, shall cease to be a member.
- 3.9. A member, other than an Honorary Member, shall remain continually liable for subscriptions, or any other levies or fees, until membership is decided by resignation or otherwise.
- 3.10. Any member not in arrears or indebted to the Association may resign their membership by delivering notice thereof in writing to the Vice-President Administration who shall report the same to the next meeting of the Executive Committee. All subscriptions, levies, or fees, shall not be refunded.
- 3.11. All members must abide by the rules and decisions of the Association. Any member who breaks the rules of the Association, or conducts themselves in a manner not becoming to their profession or to the principles of the Association may be liable to warning, discipline, or expulsion from the Association including a fine not exceeding HK\$50. Any member warned, disciplined or expelled may appeal to the General Meeting.
- 3.12. Any member who is not satisfied with the business of the Association may lodge his complaint with the Executive Committee in writing. The Executive Committee shall not refuse to consider such a complaint in any circumstances and shall summon the complainant to make account of the matter. The Executive Committee shall give a reply in writing when it comes to a decision whether or not to accept the complaint. The member may appeal to a General Meeting if he considers that the Executive Committee has no ground to turn down his complaint.

4. Constitution and Government

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

5. Annual General Meeting and Extraordinary General Meeting

- 5.1. The Annual General Meeting of members shall be held in the month of April each year.
- 5.2. An Extraordinary General Meeting of Members may be called by the Executive Committee or at the request of not less than one fifth of the total number of members of the Association. On receipt of a request from members, the Executive Committee shall arrange to call an Extraordinary General Meeting of Members within 21 days.
- 5.3.
 - a) All members shall be entitled to attend the General Meeting of Members.
 - b) Only voting members shall be entitled to vote at a General Meeting of Members.
- 5.4. The business of the Annual General Meeting of Members shall consist of the following.
 - 5.4.1. To confirm the minutes of the previous Annual General Meeting of Members and of any intervening Extraordinary General Meeting of Members.
 - 5.4.2. To consider reports from the Executive Committee and to plan policy and work for the future.
 - 5.4.3. To consider and approve the statement of accounts for the previous financial year together with the report on the audit of the accounts of the Association.
 - 5.4.4. To confirm the membership fee of the coming session.
 - 5.4.5. To adopt any election results of the members and office holders of the Executive Committee or handle any complaint against the election.
 - 5.4.6. To appoint or elect an auditor or auditors.
 - 5.4.7. To consider any other business of the Association.
- 5.5. The General Meeting shall be the sole authority to make alterations, amendments and additions to any of these rules, to rescind any of these rules and to make new rules provided that matters specified in the Schedule 2 to the Trade Unions Ordinance are adequately provided for.
- 5.6. The Vice-President Administration, on the instructions of the Executive Committee, shall prepare the notice of the General Meeting and shall send it to members in such a manner as the Executive Committee may decide. No

- less than 14 days notice shall be sent to every member. The Vice-President Administration on receiving the agenda items from members, shall prepare the agenda and send it to members before 7 days of the meeting. The number of days are exclusive of the day of service of the notice or agenda and of the day of the meeting.
- 5.7. The business of an Extraordinary General Meeting of members shall be confined to those matters specified in the agenda. Decisions reached at the Extraordinary General Meeting of Members shall have the validity and authority as decisions reached at the Annual General Meeting of Members provided that, where any alteration of the rules of the Association is contemplated, such proposed alteration shall be specifically stated in the agenda of the meeting.
 - 5.8. The quorum for any General Meeting shall be formed by not less than 10% of the total voting members present in person. With the exception of those matters regarding amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the rules of the Association, all decisions of the General Meeting shall be valid if they are made by the majority of votes of all voting members present constituting a quorum.
 - 5.9. If within half an hour from the time appointed for a General Meeting, the number of voting members present at the meeting is insufficient to constitute a quorum, the Executive Committee shall adjourn the meeting within 14 days. In case the meeting is convened at the request of members under Rule 5.2 and the number of voting members present within half an hour from the time appointed for the General Meeting is insufficient to constitute a quorum, the meeting shall be called off and no adjournment shall be made.
 - 5.10. The Vice-President Administration shall send the notice for calling the adjourned meeting and agenda to each member at least 7 days prior to the meeting. At that meeting, a quorum shall be formed by whatever number of voting members present. With the exception of those matters regarding amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the rules of the Association, all decisions of the adjourned meeting shall be valid if they are made by a majority of votes of all voting members present at the meeting. These decisions shall be binding on all members. However, the notice for the adjourned meeting shall specify in detail the provision of this rule for the reference of all members.

6. Elections and Secret Ballot

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

Sub-Committee appointed specifically for the purpose by the Executive Committee.

- 6.2. Only voting members shall be entitled to vote at a General Meeting of Members and shall be entitled to one vote only on any motion, resolution, or questions. Voting shall normally be conducted by a show of hands unless on matters as detailed in Rule 6.3, but a ballot shall be held if so demanded by any two members at the meeting.
- 6.3. All decisions in respect of the following items shall be taken by secret ballot.
 - 6.3.1. Election of members and office holders of the Executive Committee;
 - 6.3.2. Changing the name of the Association;
 - 6.3.3. Make, alter, amend or rescind the Object or Rules of the Association;
 - 6.3.4. Remove from office any Officer of the Association or any member of the Executive Committee;
 - 6.3.5. Affiliate or amalgamate the Association with any other trade union, association, society, or body;
 - 6.3.6. Federation of the Association with any other trade union or trade union federation;
 - 6.3.7. Being or becoming a member of an organisation established in a foreign country;
 - 6.3.8. Resolution on payment of electoral expenses referred to in section 33A(1) of the Trade Unions Ordinance when no electoral fund has been established;
 - 6.3.9. Dissolution of the Association.
- 6.4. The Vice-President Administration or Sub-Committee appointed by the Executive Committee for the purpose of election or voting work shall be responsible for issuing ballot forms and shall issue them only to voting members.
- 6.5. All ballot forms must not be signed by the voters who mark or inscribe them and must be placed in the sealed ballot box provided by the Executive Committee. The Executive Committee or the Sub-Committee may appoint voting members to supervise and safeguard the ballot box.
- 6.6. Scrutineers shall be appointed by the Executive Committee. They shall not be running in any election and be responsible to the Executive Committee or the Sub-Committee for:
 - 6.6.1. Inspection of the ballot box(es) before the commencement of polling;
 - 6.6.2. Locking and sealing the empty ballot box(es) before the starting time of polling and keeping the key(s) of the ballot box(es);
 - 6.6.3. Unsealing the ballot box(es) at the starting time of polling;
 - 6.6.4. Sealing of the ballot box(es) after the closing time of polling if counting of vote is not immediate;
 - 6.6.5. Counting and checking the votes;

- 6.6.6. Deciding and announcing the result.
- 6.7. The Executive Committee or the Sub-Committee shall decide the duration and period of the election. Except for the event of a by-election, the election shall close at least 3 days prior to the Annual General Meeting.
- 6.8. The notice of election shall be promulgated to all voting members at least 14 days prior to the start of the election. The nomination of the election shall be opened on the day the notice of election being posted and closed 7 days before the start of the election.
- 6.9. Except for the event of a by-election, an online membership database and election counter(s) shall be set up to facilitate the election. The online membership database shall be prepared by the Vice-President Administration or Sub-Committee prior to the election. All election counter(s) shall be attended by a member of the Executive Committee all through the polling period, who shall:
- 6.9.1. Verify against the online membership database whether the voter is a valid voting member and have not voted before issuing one and only one ballot paper to the voter;
 - 6.9.2. Ensure the voter has put the ballot paper into the ballot box;
 - 6.9.3. Update the online database once the voter has voted.
- 6.10. Upon the closing of polling, the scrutineers shall seal and sign the ballot box(es).
- 6.11. Vote counting shall commence within 24 hours after the closing of polling. The scrutineers shall unlock the ballot box(es) and be responsible of counting the votes.
- 6.11.1. Any ballot paper shall be voided if the scrutineers observe any marking or indication of the voter identity, or any other reasons they deem necessary.
 - 6.11.2. The Election shall be declared valid if the number of valid votes exceeds 10% of the number of total voting members
 - 6.11.3. Any candidates shall be declared elected if the number of for votes exceeds those against in a valid election.
 - 6.11.4. The scrutineers shall decide and announce the election result. Such result will be adopted in the following Annual General Meeting.
- 6.12. Except for the event of a by-election, any complaints against the election proceeding or election results shall be lodged with the Executive Committee in writing within 48 hours after the closing of polling. The Executive Committee shall handle such complaint as per Rule 3.12 stated. And the result of such complaint shall be presented together with the election results in the following Annual General Meeting. In the event that the election results should be declared as invalid or voided, a by-election shall be arranged.

- 6.13. In situations under Rule 6.12 or 7.5, the by-election shall be held in an Extraordinary General Meeting. Details shall be announced by the Executive Committee at least 14 days prior to the by-election. Any complaints against such by-election shall be raised and handled within the same Extraordinary General Meeting.

7. Executive Committee

- 7.1. The government of the Association and the conduct of its business shall be vested in the Executive Committee.
- 7.2. The Executive Committee shall consist of the Office Holders specified in Rule 8.1-8.5 and up to ten other Executive Committee members. They shall be elected biennially by secret ballot in accordance of Rule 6. All members of the Executive Committee shall serve for a term of two years and shall be eligible for re-election. A list of the members of the Executive Committee and their office titles shall be displayed at the registered office of the union.
- 7.3. The Executive Committee shall meet when convened by the President, the Vice-President Administration, or by any two Executive Committee members. Any six members of the Executive Committee shall form a quorum. Notice in writing of every meeting of the Executive Committee shall be given to each member of the Executive Committee. With the exception of amalgamation with other trade unions and any other matters for which requisite votes are prescribed by the Trade Unions Ordinance or by the Rules of the Association, all decisions of the Executive Committee shall be valid if they are made by a majority of votes of all the members of the Committee present constituting a quorum. The Executive Committee shall publish a working progress report on a quarterly basis.
- 7.4. The President shall always Chair Executive Committee Meetings when present. In the absence of the President the Chair shall be taken by a Vice-President nominated by the President or failing that from those present in the following order: Vice-President Technical and Professional, Vice-President Administration, Vice-President Finance, or as elected from those attending the meeting. The Chair shall have a casting vote as well as a deliberative vote at all Executive Committee Meetings. The Chair shall sign the minutes of each meeting after they are approved.
- 7.5. In the event of the death, resignation or dismissal of any member of the Executive Committee during the term of office or when, during such period, any member of the Executive Committee is unavoidably absent from Hong Kong and such absence is likely to be permanent or unduly prolonged, the vacancy shall be filled by the candidate who secured the next highest

- number of votes at the last election. In the absence of such a candidate, the Executive Committee shall within two months after the vacancy has arisen arrange a by-election to elect a replacement. If the Executive Committee Member vacating office is concurrently an office-holder, the vacant office shall be filled from among all the Executive Committee Members by secret ballot. Any replacement member or office-holder will serve the rest of the term of the vacating member or office-holder as the case may be.
- 7.6. The Executive Committee shall have administrative and all other powers necessary for properly pursuing the objects of the Association and shall protect its funds against extravagance or misappropriation. It may give instructions as to the investment of the funds of the Association subject to Rule 9.4
 - 7.7. The Executive Committee shall give instructions to the Vice-President Administration and other office-holders for the conduct of the affairs of the Association. It may appoint paid staff and may dismiss them for reasons deemed good and sufficient in the interests of the Association. It may appoint Sub-Committees to carry out the routine or special work of the Association and may dissolve them. It may invite persons having specialised knowledge to attend meetings of the Executive Committee as advisors if required to further the aims and objects of the Association, but the advisors should have no right to vote if they are not voting members of the Association.
 - 7.8. The Executive Committee may suspend or dismiss any member of the Executive Committee for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the General Meetings or of the Executive Committee, or for any other reason deemed good and sufficient in the interests of the Association. Any member of the Executive Committee suspended or dismissed may appeal to a General Meeting.
 - 7.9. The Executive Committee may give a warning to, or discipline or expel from the Association any member who is proved to its satisfaction to have been guilty of conduct prejudicial to the interests of the Association. Any member warned, disciplined or expelled may appeal to a General Meeting.
 - 7.10. Subject to Rule 7.3 and the overriding authority of the General Meeting, all decisions of the Executive Committee shall be binding on all members of the Association.
 - 7.11. The Executive Committee shall interpret the rules, determine any points which the rule do not adequately cover, and propose alterations to the General Meeting for approval.
 - 7.12. With the approval of the General Meeting, the Executive Committee may establish branches of the Association provided that specific rules governing branch affairs shall be made before a branch is established.

- 7.13. Whenever there is a change of members or office holders in the Executive Committee, arrangements for handing and taking over of duties and documents shall be made within one month of the change. A certificate to this effect shall be signed by the out-going and the in-coming members of the Executive Committee for the record of the Executive Committee.

8. Officer Holders

8.1. President

- 8.1.1. The President shall chair all General Meetings and Executive Committee Meetings and shall be responsible for the proper conduct of business of such meetings. The President shall sign the Minutes of each meeting after they are approved. In case the number of votes on an item is equal, the President can deliver a casting vote in Executive Committee meetings.
- 8.1.2. The President shall superintend the general administration of the Association with the assistance of the other office holders and shall ensure the observance of the Association rules by all members.
- 8.1.3. The President is empowered to countersign every document of the Association to which the common seal of the Association is affixed as provided under Rule 19.2, in conjunction with a member of the Executive Committee.
- 8.1.4. The President may, in conjunction with the Vice-President Finance, sign cheques or cash withdrawal forms on behalf of the Association.
- 8.1.5. The President shall, in conjunction with the Vice-President Administration, furnish to the Registrar of Trade Unions before 31st March in each year a return showing the names of the members of the Executive Committee and membership of the Association on 31 December in the preceding year.
- 8.1.6. The President may nominate a Vice-President to act on his or her behalf as necessary.

8.2. Vice-President Technical and Professional

- 8.2.1. The Vice-President Technical and Professional shall assist the President with the administration of the Association by chairing and overseeing a standing committee of Executive Committee members dealing with technical and professional matters and including:
- 8.2.2. Technical matters such as Air Traffic Services operational procedures, systems, and facilities;
- 8.2.3. Professional matters such as licensing, rostering training, human factors, and medical issues;

- 8.2.4. Arranging Association representation and participation in committees, seminars, meetings, and forums sponsored by other organizations of a technical or professional nature;
- 8.2.5. Overseeing the Association Internet web site ;
- 8.2.6. Overseeing and if necessary chairing Association sub-committees, and meetings related to technical and professional matters;
- 8.2.7. In the absence of the President, he shall deputize until the President returns or until the vacancy is filled in accordance with the provisions of Rule 7.5.

8.3. Vice-President Administration

- 8.3.1. The Vice-President Administration shall conduct the business of the Association in accordance with the rules and shall carry out the instructions of the General Meetings and of the Executive Committee.
- 8.3.2. The Vice-President Administration shall chair and oversee a standing sub-committee dealing with administrative matters.
- 8.3.3. The Vice-President Administration shall keep the common seal of the Association in safe custody.
- 8.3.4. The Vice-President Administration may, in conjunction with the Vice-President Finance, sign cheques or cash withdrawal forms of behalf of the Association.
- 8.3.5. The Vice-President Administration shall, in conjunction with the President, furnish to the Registrar of Trade Unions before 31st March in each year a return showing the names of the members of the Executive Committee and membership of the Association on 31 December in the preceding year.

8.4. Vice-President Finance

- 8.4.1. The Vice-President Finance shall be responsible for the safety of all monies and the safeguarding of all investments belonging to the Association and shall keep full and accurate books and accounts with respect to all transactions conducted in the name of the Association and maintain proper records of the Associations assets and liabilities. The Vice-President Finance shall establish and maintain a satisfactory system of control of accounting and transactions records. The Vice-President Finance shall prepare, as soon after the close of each financial year as possible, an annual statement of accounts to be audited by the auditor for presentation to the Annual General Meeting of Members and shall, if required by the Executive Committee, prepare a financial statement for each meeting of the Executive Committee. The Vice-President Finance shall forward the auditor's report together with the audited annual statement of accounts to the Registrar of Trade Unions within three months after the closing of the financial year.
- 8.4.2. The Vice-President Finance shall chair and oversee a standing sub-committee dealing with financial matters.

- 8.4.3. The Vice-President Finance shall give free of charge to every member upon request an audited annual statement of accounts of all the receipts and expenditures and of the assets and liabilities of the Association.
- 8.4.4. The Vice-President Finance shall, in conjunction with the President or the Vice-President Administration sign cheques or cash withdrawal forms on behalf of the Association.
- 8.4.5. The Vice-President Finance shall not keep cash in excess HK\$10000, and shall deposit all other sums of money in a bank account opened in the name of the Association and appointed by the Executive Committee.

8.5. General Secretary

- 8.5.1. The General Secretary shall be responsible for general matters for the daily operation of the Association.
 - 8.5.2. The General Secretary shall keep a register of all members.
 - 8.5.3. The General Secretary shall record the proceedings of all Executive Committee meetings and General Meeting and prepare the minutes thereafter.
 - 8.5.4. The General Secretary shall prepare the Annual Report of the Association for submission to the Annual General Meeting and any other reports necessary for Extraordinary General Meetings.
- 8.6. Any member of the Executive Committee whose duties call for full time services for the Association may be compensated for loss of hours of work or wages as may be decided by the Executive Committee.
- 8.7. Any member of the Executive Committee whose duties involve financial responsibility shall provide such security as the Executive Committee may require.
- 8.8. All officers of the Association may be indemnified by the Association from and against all losses and expenses incurred by them in or about the discharge of their respective duties, except such as result through their own wilful neglect or default.
- 8.9. Stream coordinators shall be appointed among the members of the Executive Committee for the below stated streams:
- 8.9.1. Tower Stream
 - 8.9.2. Approach Stream
 - 8.9.3. Terminal Stream
 - 8.9.4. Area Stream
 - 8.9.5. ATFSO / SATCO Stream

9. Use Of Funds

- 9.1. The Association shall have a General Fund.
- 9.2. The General Fund may only be used with the authority of the Executive Committee only for the following purposes.
 - 9.2.1. The payment to members of the Executive Committee and paid staff of the Association of salaries, allowances and expenses in dealing with the affairs of the Association.
 - 9.2.2. The payment of expenses for the administration of the Association, including audit of the accounts of the funds of the Association
 - 9.2.3. The payment of expenses directly associated with the furtherance of the objects of the Association.
 - 9.2.4. The payment of interest at a rate not exceeding 5% per annum upon money borrowed from any member of the Association.
 - 9.2.5. To borrow or secure the payment of any sum or sums of money charged upon all or any of the property of the Association (both present and future) and to purchase, redeem or pay off any such securities for the purposes of the Association provided that the Executive Committee shall not without the sanction of a General Meeting so borrow any sum of money exceeding the sum of HK\$5000.
 - 9.2.6. The prosecution or defence of any legal proceeding to which the Association or any member is a party when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Association as such or any rights arising out of the relations of any member with their employer.
 - 9.2.7. The conduct of trade disputes on behalf of the Association or any member.
 - 9.2.8. The compensation of members for the loss arising out of trade dispute.
 - 9.2.9. The payment of subscriptions, fees, contributions or donations to other registered trade unions or other lawful associations or combinations established within Hong Kong.
 - 9.2.10. The payment of fines imposed on the Association for any offence of which it is convicted under the Trade Unions Ordinance or any other Ordinances.
 - 9.2.11. For payment of expenses incurred in the promotion of recreational, cultural and social pursuits in the interests of members.
 - 9.2.12. Subject to the approval of a General Meeting, the payment for any other lawful purposes as permitted by the Trade Unions Ordinance.
- 9.3. The General Meeting may authorise the Executive Committee to establish a Welfare fund which shall be administered by the Executive Committee or by a Sub-Committee appointed by the Executive Committee. The fund shall be open to all qualified members and give benefits to qualified members and/or their families for the purposes set out in Rule 2. It must not be used for General Fund purposes. The welfare fund would only be set up after specific rules are made.

- 9.4. The funds of the Association, which are not required for current expenses may be invested in bonds, securities or property and in such a manner as may be determined by voting members at a General Meeting.
- 9.5. The Executive Committee may, subject to the approval of a General Meeting, acquire or sell any property of the Association.

10. Financial Year

- 10.1. The financial year of the Association shall commence on the 1st day of April each year and terminate on the last day of March the following year.

11. Levies

- 11.1. The Executive Committee may, for the purpose of providing further benefits for members or of operating a special project, impose a levy upon all members provided any levy does not exceed the amount of annual subscription of that year. If members object to payment of such levy they may refer the matter to a General Meeting. Before a decision is reached at the General Meeting, members shall be required to pay the levy within the time limit specified in the notice. Any arrears of levy shall be treated as arrears of subscription under Rule 3.6 and 3.7.

12. Auditors

- 12.1. One or more auditors, who need not be members of the Association, shall be appointed or elected at the Annual General Meeting. Their appointment is subject to the approval of the Registrar of Trade Unions. They shall serve for a term of one year and be eligible for re-appointment or re-election.
- 12.2. In the event of an auditor vacating their office between two Annual General Meetings, the Executive Committee shall have the power to appoint a suitable person to fill the vacancy until the next General Meeting. The appointment will be referred to the next General Meeting for covering approval. On obtaining the approval, the appointed person can continue to serve the remaining term of the out-going auditor, if any.
- 12.3. The Auditor shall audit all the accounts of the Association as soon after the close of each financial year as possible and at other times when necessary. All books and accounts of the Association will be examined and a certification as to their correctness or otherwise given by the auditor. A report by the auditor will be made to the members at the Annual General Meeting.
- 12.4. A copy of the auditor's report shall be conspicuously displayed at the registered office of the Association.

13. Inspection Of Books

13.1. Any member of the Executive Committee, member or their authorised agent shall be allowed to inspect the Association's account books, original copy of registered rules and register of members. An application to this effect must be made in advance to the Vice-President Administration or the Vice-President Finance, who shall be allowed reasonable time to make the necessary documents available.

14. Trade Disputes

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

15. Legal Advice

15.1. In pursuance of the object in Rule 2.10.5 the Executive Committee shall have power to procure legal advice or assistance for any qualified member on any matter connected with the prosecution or defence undertaken for the purpose of securing or protecting any rights arising out of relations of the member with her or his employer, provided that the Executive Committee is satisfied that the case merits legal advice or assistance.

16. Educational Work

16.1. The Association may further the object of educating its members through meetings, classes or a periodical bulletin reporting the activities of the Association. It may publish literature and take such other action as will promote professional, industrial, cultural and social knowledge of its members.

17. Rule Book

17.1. A copy of the registered rules of the Association shall be accessible free of charge to every person accepted into membership of the Association.

17.2. A copy of these registered rules shall be readily available at the registered office of the Association for perusal by any members.

18. Dissolution Or Winding-Up Of The Union

- 18.1. The registration of the Association may be cancelled by voluntary dissolution, or upon a request by the Association or by a decision of the Registrar of Trade Unions in accordance with the Trade Unions Ordinance.
- 18.2. The Association can be dissolved only with the consent of not less than two thirds of the total number of voting members obtained by secret ballot at a General Meeting. When the Association is dissolved, the Vice-President Administration shall notify the Registrar of Trade Unions to this effect within 14 days thereof;
- 18.3. In the event of the Association being dissolved or the registration of the Association being cancelled on whatever grounds, any surplus assets and funds remaining after the satisfaction of its debts and liabilities shall be disposed of in such manner as decided at a General Meeting.

19. Common Seal and Contract

- 19.1. The Association shall have a common seal which shall be in the safe custody of the Vice-President Administration, and it shall only be used by the authority of the Executive Committee.
- 19.2. Any contract or instrument made by the Executive Committee on behalf of the Association to which the common seal of the Association is affixed shall be signed by the President and a member of the Executive Committee.

20. Definitions

Unless the context requires otherwise:

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

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

"office-holder" means any member of the Executive Committee who concurrently holds a designated office in the Executive Committee.

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

“qualified member” means any member either voting or non-voting who is not in arrears of subscriptions or any other levies or fees, if any, by virtue of Rule 3.8.

"registered" means registered under the Trade Unions Ordinance.

“voting member” means any member of the Association entitled to vote for any purposes under the rules of the Association.

Revised Sep 2018